

# THE LONDON MAGAZINE.

## OCTOBER, 1739.

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JOURNAL of the PROCEEDINGS and DEBATES in the  
POLITICAL CLUB; continued from Page 445.

I SHALL now give you the Substance of some of the most remarkable Speeches that were made in our Club, upon the late Convention with *Spain*; which Affair, because of the Importance of the Subject, and because a great many Members of our Club had a Mind to give their Sentiments upon it, was twice debated, and each Time fully argued, by different Members.

The first Day this Affair was ordered to be debated, 'twas resolved, That the several Members who were to speak, should suppose themselves Members of the higher House of Parliament; whereupon *C. Cicerejus* stood up and said, If he had the Honour to be a Member of that House, he would move, That an humble Address should be presented to his Majesty, to return his Majesty the Thanks of that House for laying the Convention between his Majesty and the King of *Spain*, dated the 14th Day of January last, together with the separate Articles, before that House: To declare that they thought it their indispensable Duty,

on that Occasion, to express their just Sense of his Majesty's Royal Care of the true Interest of his People, and to acknowledge his great Prudence, in bringing the Demands of his Subjects for their past Losses, A which had been so long depending, to a final Adjustment by the said Convention, and procuring an express Stipulation for a speedy Payment; and in laying a Foundation for accomplishing the great and desirable Ends of obtaining future Security, and preserving the Peace between the two Nations: To beg Leave also to declare to his Majesty, their Confidence and Reliance on his Royal Wisdom and steady Attention to the Honour of his Crown, and the Welfare of his C Kingdoms, and that in the Treaty to be concluded in pursuance of that Convention, proper Provisions would be made for Redress of the Grievances so justly complained of; and particularly, that the Freedom of Navigation in the *American Seas*, to D which his Majesty's Subjects were intitled by the Law of Nations, and by Virtue of the Treaties subsisting between the two Crowns, would

would be so effectually secured, that they might enjoy, unmolested, their undoubted Right of Navigating, and carrying on Trade and Commerce from one Part of his Majesty's Dominions to any other Part thereof, without being liable to be stopp'd, A visited, or searched, on the open Seas, or to any other Violation or Infraction of the said Treaties; the mutual Observance thereof, and a just Regard to the Privileges belonging to each other, being the only Means of maintaining a good Correspondence, and lasting Friendship between the two Nations: And to desire Permission at the same Time, in the most dutiful Manner, to express their firm Dependence, that in the Treaty to be concluded in pursuance of the said Convention, the utmost Regard would be had to the Rights belonging to his Majesty's Crown and Subjects, in adjusting and settling the Limits of his Majesty's Dominions in America; and to give his Majesty the strongest Assurances, that in case his just Expectations should not be answered, that House would heartily and zealously concur in all such Measures as should be necessary to vindicate his Majesty's Honour, and to preserve to his Subjects the full Enjoyment of all those Rights, to which they were E intitled by Treaty, and the Law of Nations.

This Proposition introduced the Debate upon the Convention, in which many excellent Speeches were made both for and against it; but as the Whole would take up a great deal of more Room than you have to spare, I shall give you the Substance only of some of the most remarkable.

*The first I shall give you, was that made by C. Plinius Cæcilius, who spoke to this Effect, viz.*

*My Lords,*

**T**HE Address now proposed to you, is so agreeable to the

Resolutions you came to last Session of Parliament, upon the Depredations that had been committed by Spain; and it is so natural a Consequence of the Address you presented to his Majesty upon that Occasion, and of the Measures his Majesty has since taken in pursuance of that Address, that when I first heard it proposed, I did not expect it would have met with the least Opposition. By the Resolutions you came to last Session of Parliament, you asserted the Right B which the People of this Nation have to a free Navigation in the open Seas of America; and you declared, that many unjust Seizures had been made, and great Depredations committed, by the Spaniards, to the great Loss and Damage C of the Subjects of Great Britain trading to America, and in direct Violation of the Treaties subsisting between the two Crowns. This was the Sum of your Resolutions, and in consequence of these Resolutions, you addressed his Majesty to use his D Endeavours with his Catholick Majesty, to obtain effectual Relief for his injured Subjects, and Security for our Navigation and Commerce in Time to come; and at the same Time you assured his Majesty, that in case his Royal and Friendly Instances should not prevail, you would E effectually support his Majesty in taking such Measures, as Honour and Justice should render necessary.

From hence, my Lords, it appears to have been the Opinion of this House last Session of Parliament, that we had then no Occasion to come to an immediate Rupture with Spain; but that his Majesty should first try what he could do by peaceable Means, for obtaining Reparation for past Injuries, and Security against any such for the future. Accordingly his Majesty did, in pursuance of this Advice from his Parliament, renew his Negotiations with the Court of Spain, and

to give his Negotiations their proper Weight, he fitted out such Squadrons as were sufficient for protecting the Trade, and vindicating the Honour of this Nation by Force of Arms, in case that Court had refused, or unreasonably delay'd hearkening to those friendly Instances, that were made to them by his Majesty.

This, my Lords, we now find has had the desired Effect. From the Preparations that were made here at home, and the Squadrons that were fitted out, Spain saw we were in earnest, that his Majesty was resolv'd not to be any longer trifled with, and therefore they began seriously to consider the Consequences of an open Rupture. These Consequences they had Reason to be afraid of, they were afraid of them, and by their Fears they were induced, I may say compelled, to give ear to the friendly Instances that were made to them, and to acknowledge the Injuries they had done, by promising to make as ample a Satisfaction as we could reasonably insist on. I say, my Lords, as ample a Satisfaction as we could reasonably insist on; for surely, if we expected Satisfaction from them, it was but reasonable that we should allow them Satisfaction for all the just Claims they had upon us. According to this, which is certainly the just, and the only reasonable Way of Reckoning, in every Case where there are mutual Demands, the stipulated Payment, which they have agreed to make in four Months after the Ratification of the Treaty, is a full Reparation for all the Demands we had to make upon them, allowing a reasonable Discount for prompt Payment. For even according to the Account stated by our own Commissaries, the Claim of our Merchants did not, at a moderate Computation, amount to above 200,000*l.* and the Claims they had upon us, were allowed to a mount at least to 60,000*l.* which

reduced the Sum due by them to us to 140,000*l.* for the prompt Payment of which, we have allowed them 45,000*l.* which is but a reasonable Allowance, considering the Delays we might have met with, if

A we had accepted of Assignments upon his Catholick Majesty's Revenues in *New Spain*: Allowing therefore of this Discount, it reduces the 140,000*l.* which is all we could pretend to be due, to the Sum of 95,000*l.* which Sum they have, by

B this Convention, expressly promised to pay here at *London*, within four Months after the Ratification; and that without delaying the Payment of the said Sum, on Account of any Restitution that has been made, in consequence of his Catholick Majesty's Orders, of the Whole, or any Part of the Value of the Ships mentioned in the 4th Article.

Thus, my Lords, we may see, that by this Convention his Majesty has obtained one of the chief Things recommended to him by his Parliament last Session; and as this has been obtained without involving the Nation in a War, we have the more Reason to thank his Majesty for the tender Regard he has had, not only for those of his Subjects that have already suffered by the *Spanish* De-

E predations, but for all his Subjects; because it is certain they would all have greatly suffered, if he had rashly and unadvisedly involved the Nation in a dangerous and expensive War. But with respect to our future Security, as it depends upon F Disputes, which it was impossible to enquire into fully, and determine absolutely, without a very mature Deliberation, therefore, from the very Nature of the Thing, we could not expect, nor could his Majesty with any Show of Reason insist upon its being explicitly provided for by a preliminary Convention; however, his Majesty has taken so great Care of the future Security of our Navi-

gation and Commerce, that he has got the *Spaniard* Court to agree, by this Convention, to submit all the Disputes that now subsist between the two Nations, to the Discussion of Plenipotentiaries, to be named respectively by the two Crowns; and that no chicaning Delays may be made use of on the Part of *Spain*, it is expressly provided, that the Plenipotentiaries so named shall begin their Conferences six Weeks after the Exchange of the Ratifications, and shall finish them within the Space of eight Months.

This was, in my Opinion, my Lords, all that it was possible to do by a preliminary Convention, with regard to the other Disputes that now subsist between us and *Spain*; but tho' the final Determination of those Disputes be deferred for a short Time, tho' we have submitted them to the Discussion of Plenipotentiaries, yet by such Delay and Submission, we are so far from having acknowledged any of our undoubted Rights to be disputable, as has been groundlessly insinuated, that the *Spaniards* have, in some Measure, given up that Right which is the principal one in Dispute between the two Nations. They pretended to a Right to search our Ships in the Seas of *America*, in order to see whether they had been concerned in an illicit Trade, and to seize and confiscate Ship and Cargo, in case it appeared that they had been concerned in such a Trade, by their having what they call contraband Goods on board. They have by F this Convention agreed to make good to us the Damages we have sustained by their Exercise of such a pretended Right. They have agreed to pay us Costs; and is not this a direct Acknowledgment that G they have been in the Wrong? This is at least a tacit Acknowledgment, that they now think they had no just Claim to the Right they have

so long pretended to; and this I think, is a certain Sign, that by the definitive Treaty, which is to be concluded, in pursuance of this preliminary Convention, they will make no Scruple to give it up in the most express Terms we can desire.

But, my Lords, with regard to the present Disputes between the *Spaniards* and us, I find People have generally fallen into a very great Mistake, by not distinguishing properly between a Right and the Enjoyment of that Right. We have a Right to a free Navigation in the *American Seas*, and to carry on what Commerce we think fit between our own Colonies and *Great Britain*, or between any one of our own Colonies and another: This is a Right which the *Spaniards* never pretended to dispute with us. On the other hand, they have a Right to prevent the carrying on of any contraband Trade with their Settlements in *America*; which is a Right we never pretended to dispute with them. The chief Dispute between us is about the Enjoyment of our respective Rights. They do not dispute our Right to a free Navigation in the *American Seas*; but the Question between us is, how we shall enjoy that Right, so as not to prejudice their Right to prevent a contraband Trade's being carried on with their Settlements, in that Part of the World: Nor do we dispute their Right to prevent such a contraband Trade; but the Question is, how they shall enjoy that Right, so as not to prejudice our Right to a free Navigation. This is the chief Dispute now subsisting between the two Nations; this must be regulated before Peace and Friendship can be fully restored; and this could not be done in a short Time, or by a preliminary Convention. The Affair must be fully examined and maturely considered, in order to con-

trive and mutually settle such Regulations as may not be prejudicial to either. For this Reason it was referred by both to be enquired into and regulated by Plenipotentiaries: But what are these Plenipotentiaries to regulate? Not the Rights of either A Nation; but only the Methods by which each Nation is to enjoy its respective Right for the future.

My Lords, if we would but consider our own Case, I am persuaded we would look upon this as an Affair not quite so easy to be settled as some People imagine. We pretend to a Right, and we certainly have a Right, to prevent any Goods from being clandestinely run into this Island, or into any of our Dominions. We pretend to a Right, and we certainly have a Right, to prevent the Exportation of our Wool. On the other hand, the Dutch, the French, and all other Nations, have a Right to sail with their Ships along our Coasts, and even through the British Channel. As long as they give us the Honour of the Flag, and D obtain from all clandestine and prohibited Trade, we have no Right to interrupt them; yet everyone knows, that our Guard-Ships and Custom-House Sloops often stop them in their Voyage, in order to examine, whether they have been concerned in any clandestine Trade, such as the exporting of Wool, or running any prohibited or uncustomed Goods. Nay, we have gone so far as to make Laws against Ships that shall be found hovering within two Leagues of our Coast; and particularly, by a Law passed but very lately, it is enacted, That, where any Vessel coming from foreign Parts, and having on board 6lb of Tea or any foreign Brandy, or other Spirits, in Casks under 60 Gallons, except two Gallons for each Seaman, shall be found at Anchor, or hovering within the Limits of any Port of this Kingdom, or within two Leagues of the

Shore, and not proceeding on her Voyage with the first Opportunity, all such Tea, foreign Brandy, and Spirits, together with the Package, or the Value thereof, shall be forfeited, and the same may be seized.

This, my Lords, I do not mention with a Design to draw any Parallel between our Behaviour and the Behaviour of the Spaniards: We have exercised our Right in such a Manner, that no foreign Nation has the least Reason to say we have done them an Injury, or to complain of the Regulations we have made for the Preservation and Exercise of our Right. On the contrary, the Spaniards have exercised the Right they have to prevent a contraband Trade with their Settlements in America, in such a Manner, that not only we, but every Nation in Europe that has any Trade in that Part of the World, have just Reason to complain of them, and to insist upon their altering the Regulations they have made for the Preservation of their Right. Therefore, I say, I do not mention this, in order to make a Comparison between their Conduct and ours; but I mention it to shew that, where a Nation has a Right of any Kind, they have a Power to make such Regulations, even with regard to Foreigners, as they think necessary for the Preservation and Exercise of that Right, provided those Regulations be not inconsistent with the Law of Nations, nor prejudicial to the Rights or Privileges of their Neighbours. This is the principal Dispute at present between Spain and us. We ought in Justice to allow them to make such Regulations, as may be necessary for preventing the carrying on of any contraband Trade with their Settlements in America; and on the other hand, they ought in Justice to give up, and depart from any Regulations they have made, if upon Examination they be found contrary to the Law of Nations,

Nations, or if by Experience they have been found prejudicial to the undoubted Rights and Privileges of this Nation. We have a Right to a free Navigation in the *American Seas*; but we ought not to insist upon that Navigation's being so very free and unconfined, as to render it impossible for the *Spaniards* to prevent an illicit Trade with their Settlements in that Part of the World. We would look upon it as the Height of Injustice, if the *French* or *Dutch* should insist upon such an unlimited Navigation along our Coasts, and through the *British Channel*, as would render it impossible for us to prevent the Exportation of our Wool, or the Running of prohibited and uncustomed Goods in upon us. If your Lordships consider the Affair in this Light, I am convinced you will be all of my Opinion: You will look upon it as an Affair that could not be easily settled; and will therefore think, that the most his Majesty could do, was, to have it referred to Plenipotentiaries, in order that they might settle such Regulations between *Spain* and us, as might be effectual for the Enjoyment of the Right of each Nation respectively, without hurting the Right of the other; and at the same Time you will see, that the Word, Regulate, was the only proper Term upon this Occasion, and that it does not mean an Acknowledgment of any unjust Right pretended to by *Spain*, nor a giving up of any of the undoubted Rights of this Nation, as some People have endeavoured to represent.

It has been proved at your Bar, my Lords, and every Man who considers the Situation of our Islands, and the *Spanish Islands* in the *West-Indies*, and the Nature of the Winds and Tides in the *American Seas*, must see, that the Ships of both Nations must often and necessarily fail *within two Leagues* of the Coasts of one another: Our Ships may even some-

times be obliged to hover upon their Coasts; and it may, for what I know, be found absolutely necessary, to allow the *Spaniards* a Liberty, under proper Regulations, to examine such of our Merchant Ships, A as they find hovering within a certain Distance of any of their Coasts in that Part of the World. This Liberty, I say, may, for what I know, be necessary, for enabling them to prevent an illicit Trade's being carried on between our Subjects, and their Settlements in the *West-Indies*. It is a Liberty we ourselves take with the Ships of all Nations, that are found hovering within two Leagues of our Coasts. Nay, it is a Liberty which seems to be granted to them, and established by the Treaties subsisting between the two Crowns; for by the 4th Article of the Treaty between *Spain* and us, in the Year 1667, it is expressly stipulated, That if any Ship belonging to the Subjects and Merchants of the one or other Nation, D entering into Bays, or in the open Sea, shall be encountered by the Ships of War belonging to the other Nation; such Ship of War may examine such Merchant Ship, and if any prohibited Goods be found on board such Ship, the same may be taken out and confiscated. From whence it appears, that the *Spanish Ships of War* have already a Power to examine such of our Merchant Ships as they encounter in the open Seas, whether in *America* or *Europe*; for the Article is without Limitation; and if they have of late made an unjust or wrong Use of that Power, we ought to insist upon its being put under such Regulations, as may prevent such a bad Use being made of it in Time to come; but as the contriving and settling such Regulations, must require a Consultation with those who are well acquainted with the Trade and Navigation in *America*, we can G not

not suppose they could be settled by a preliminary Treaty; and therefore, the only Measure that could be taken, was, to refer them to be settled by Plenipotentiaries, so as that they might afterwards be made Part of a definitive Treaty between the two Nations.

I must now, my Lords, beg Leave to consider a little, the Dispute between Spain and us relating to Carolina and Georgia. This, likewise, my Lords, cannot properly be called a Dispute about any of the undoubted Rights either of this Nation or of Spain. They do not dispute, at least they have not lately disputed, our Right to what was formerly called Carolina, of which Georgia is a Part; nor do we dispute their Right to the Southern Parts of Florida: The only Dispute between us, is about the Limits between our respective Possessions in that Part of the World; and this Dispute it was impossible to settle by a preliminary Convention. Such Disputes, we know, are seldom adjusted even by a definitive Treaty; for when any such Dispute subsists between two Nations, they often, I may say generally, conclude even a solemn and definitive Treaty, and by that Treaty they agree, that the Limits between their respective Territories shall be afterwards adjusted and settled by Commissioners or Plenipotentiaries, to be named and appointed by the two contracting Parties respectively; and therefore, my Lords, I must say, I am surprized to hear the least Objection made against this Part of the Convention now under our Consideration.

"Tis true, my Lords, we have agreed, that during the Time that the Discussion of this Affair, relating to the Limits between Carolina and Florida, shall last, Things shall remain in the aforesaid Territories of Florida and Carolina, in the Situation they are in at present, without

increasing the Fortifications there, or taking any new Posts. This is a Sort of Suspension of the free Enjoyment of our Right, but this is a Confirmation of the Right itself; because it imports an Acknowledgment from Spain, that we have a Right to some Territories in Florida or Carolina. And for this very Reason, it would have been wrong in us to have admitted of any Article or Words in this Treaty, for obliging the Spaniards to suspend searching our Ships on the open Seas of America, during the Discussion of that Affair; because our having stipulated any such Suspension, would have been an Acknowledgment that they had some Sort of Right to do so; in which Case, some Lords C would have had much more Reason than they have at present, to insinuate, that by this Treaty we had given up, or rendered disputable, some of the most undoubted Rights of this Nation.

Having thus, my Lords, shewn, D that no reasonable Objection can be made to the Treaty now before us, I must beg your Lordships to consider the present Circumstances of Europe, the Circumstances of this Nation, and the Relation we stand in to Spain. To all Nations it must

E be granted that Peace is a desirable Thing. It must be allowed, that no Nation ought to enter into a War against any neighbouring Nation whatever, if they can obtain every Thing they can justly demand by peaceable Means. But with re-

F gard to this Nation, we ought to be more cautious of entering into a War than most others. We are a trading Nation: A great Part of our People subsist by Trade; and even our landed Gentlemen, who have no Concern in Trade, owe a great Part of their yearly Revenue to the Commerce and Manufactures we carry on; for if it were not for our Trade and Manufactures, our Farms

Farms could not let at so high a Rent as they do, nor could we have near so many Houses in our Towns and Villages. Therefore, as War must always interrupt our Trade, we ought to be extremely cautious of engaging in War; and more so with regard to *Spain* than most other Nations in *Europe*; because, I believe, it will be allowed, that our Trade with *Spain* is more profitable to the Nation in general, than our Trade with any other Nation in *Europe*, except *Portugal* alone. But suppose we were under a Sort of Necessity to engage in War, yet unless that Necessity were extremely urgent as well as unavoidable, we ought to put off engaging in War for some Time, both on Account of our own Circumstances, and on Account of the present Circumstances of Affairs in *Europe*. With regard to our own Circumstances, it must be confessed, that, considering the present heavy Load of Debt we labour under, and the many Taxes we are obliged to raise for the Payment of that Debt, we are at present in no very good Condition for engaging in a dangerous and expensive War; and with regard to the Affairs of *Europe*, they were never in a more unlucky Situation for us, than they are at this Time. If we should immediately engage in a War with *Spain*, 'tis possible, I may say, 'tis probable, that the *Spaniards* will be assisted by *France*, and perhaps by some other Powers of *Europe* we little dream of at present. On the other hand, as the Emperor is engaged in a War with the *Turks*, and has been most surprizingly unlucky in the Prosecution of that War, we can expect no Assistance from that Quarter; and this will of Course prevent any of the other Powers upon the Continent from giving us any Assistance, because it will be impossible to form an Army upon the Continent, sufficient for protecting them against

the united Force of *France* and *Spain*, assisted, perhaps, by several of the other Princes and States in *Europe*.

I know, my Lords, it may be said, that as we have the good Luck to be environed by the Sea, and have a Fleet superior to any that *France* and *Spain*, joined together, can bring against us, we may protect our own Trade and Dominions; and so much infest the Trade and Dominions of our Enemies, as to make them at last glad to agree to reasonable Terms; but, my Lords, if our Enemies are, by their great Land Armies, absolute Masters upon the Continent, they may not only prevent our receiving Assistance from any of the Princes or States upon the Continent; but they may induce or oblige them all to join against us; at least they may oblige them to deny us Access to any of their Ports or Harbours, either for our Men of War or Merchant Ships, which would at once put an entire Stop to our Trade, and would make it impossible or very dangerous to send our Squadrons to any great Distance from our own Ports; for tho' they may be superior to any Squadrons that can be fitted out against them, they are not equal to Winds and Tempests. By these they may be scattered and dispersed, some of them perhaps swallowed up, and the rest left a Prey to a pusillanimous Foe, that might lie skulking in Port, and watching for such an Opportunity.

It must therefore be acknowledged, my Lords, that the present Circumstances of our Affairs both at home and abroad, are no Way suitable for our engaging in an immediate War. I should have been far from saying so much of them, if they had not been well and publickly known. And as every Thing I have said is well known to every Court in *Europe*, I think, that, instead

stead of finding Fault with the little we have obtained by this preliminary Treaty, we have Reason to be surprized, that his Majesty was able to obtain so much. If the Treaty had been much less favourable for us, I should have been for A approving it; because it would have prevented our being obliged to come to an immediate Rupture; for tho' the Circumstances of our Affairs, both abroad and at home, be at present in a bad Situation, they cannot long continue so: Our own Circumstances, while we remain at Peace, will be every Day growing better: We shall every Year be able to pay off some Part of our Debt, and thereby either diminish our Taxes, or increase our Sinking Fund. And as to the Circumstances of Affairs in Europe, they cannot long remain in the present Situation: It is the peculiar Happiness of this Island, that no one Nation in the World can attack us; and if we do not rashly and unadvisedly attack them, if we will but have Patience, D we can seldom fail of meeting with a good Opportunity, in every four or five Years Time, for making the proudest and the most powerful Nation in Europe, heartily repent of having injured this Nation, and that without exposing our own Country E to the least Danger, or to any great Expence. As there are a great many different Interests upon the Continent, as those different Interests are every Day creating Disputes among the Princes and States thereof, and as several Deaths may happen that F must give the Affairs of Europe a Turn in our Favour; it would be most imprudent in us to engage in a War at present, when the State of Affairs in Europe is in a Situation the most unfavourable for this Nation that ever any Age produced; G and therefore, I must think, that the Convention now before us, was one of the wisest Steps that could

be made, and that it highly deserves the Thanks of every Man who wishes well to his Country.

To what I have said, my Lords, I must add, that in a few Years we shall probably be more united among ourselves, than we are at present. It must be allowed, that we have at present a very numerous Party amongst us, who would be ready to join any Invader, against our established Government: Some out of a real Principle, some from the Hopes of making or mending their own private Fortunes by the Change, and some from Malice and an unjust Resentment against those who are employed in our Administration. The Numbers of those who are from Principle disaffected to our Government, will be decreasing every Day; because, as their Disaffection proceeds from a wrong Education in their Youth; their Children have had an Opportunity of learning other Principles, and of discovering the Ridiculousness of those Principles by which their Parents were governed, so that Nature itself must put an End to this Disaffection; since it can meet with no considerable Supply from the rising Generation. As for those who hope for Advantage by a Change, their Numbers will always depend upon the Probability of Success, and therefore must always be greater or less, according as the Juncture of Affairs abroad is unlucky or favourable for this Nation: And as to those who are governed by Malice and Resentment, Time itself must blunt the Edge of their Passions; and common Prudence will prevent their engaging with the Enemies of their Country, when, from the State of Affairs in Europe, they can have but little Probability of Success.

From all which Considerations, my Lords, I must be of Opinion, that if the present Convention had not been near so satisfactory as it is,

it would have been more prudent in his Majesty to have accepted of it, than to have engaged the Nation in an immediate War; but as I have shewn, that we have, thereby obtained all we could reasonably desire, it must be allowed that his A Majesty has closely, and with surprizing Success, followed the Advice that was given him by his Parliament last Session; and therefore, I think, we can do nothing less than thank him in the Terms proposed.

*The next that spoke was M. Agripa, whose Speech was in Substance thus:*

*My Lords,*

A S I have before given you my Opinion upon this Question, which is not in the least alter'd by any Thing the noble Lord that spoke last has said, I rise up now only to take Notice of some Things that fell from that noble Lord. In the first Part of his Discourse he endeavoured to shew, that the Measures pursued since last Session, and the Convention that has been concluded, were agreeable to the Resolutions and Address of this House last Session of Parliament. My Lords, 'tis so far otherwise, that to any one who reads the Resolutions we then came to, and the Address we then presented, both the Measures we have pursued, and the Treaty we have concluded, must appear to be directly contrary to the Advice we then gave. We advised peaceable Measures, 'tis true, but we did not advise that the Nation should, in the Midst of Peace, be put to the Expences of War: We advised his Majesty, 'tis true, to endeavour to procure Satisfaction and Security by peaceable Means, but we did not advise him to accept of a Treaty which stipulates neither the one nor the other: On the contrary, we expressly recommended to his Majesty

to insist not only upon no Search, but upon no contraband Goods; whereas in the Treaty his Ministers have advised him to accept of, there is not so much as a Stipulation against either the one or the other, tho' both have been for several Years openly and expressly pretended to by the Spaniards, and many of our Merchants plundered and ruined under that Pretence.

B My Lords, to pretend to give Weight to Negotiations, by railing C Armies and fitting out Squadrons, is a very modern, and a very extraordinary Piece of Politicks: A Sort of Politicks that was never practised in any Country but this, nor in this before the happy Era of our present Administration. When a Nation is actually engaged in War, it would, indeed, be imprudent to disband their Armies, or lay up their Squadrons, till a Peace is fully settled; but in Time of Peace, it is ridiculous to put a Nation to the Trouble and Expence of Arma- D ments, till a War is actually re- solved on. As long as there are any Hopes of obtaining Satisfaction by peaceable Means, no wise and frugal Government ever put themselves to the Expence of extraordinary military Preparations. When all such E Hopes are vanished, they then, indeed, prepare for War; but it is always with a Design to make a proper Use of the Preparations they make, unless their Enemies, besides Satisfaction for all former Demands, agree to make good the Expence which their Obstinacy has occi- F oned. To raise Armies, and fit out Squadrons, under Pretence of giving Weight to Negotiations, can serve no End therefore, but that of Mi- G nisters, who by such Means get an Opportunity of filling their own, and the Pockets of their Friends; for there is no Power we can ne- gociate with, but knows, that we en- both raise Armies, and fit out Squa- drons,

sions, in case our Negotiations should prove unsuccessful; and our putting ourselves to such Expence before we know the Issue of our Negotiations, must give those we negotiate with, a bad Opinion of our Conduct, which will of Course diminish the Weight of our Negotiations; because they will conclude, that those who do not know how to govern in Time of Peace, will much less know how to govern in Time of War. This we may know from fatal Experience; for this Nation had never so little Influence upon the Councils of Europe, as since we began to pretend to give Weight to our Negotiations, by maintaining or increasing peaceable Armies, or fitting out harmless Squadrons: We have by a long Course of such Politicks, I am afraid, brought the Nation into such Contempt, that our Neighbours now as little regard our military Preparations, as they do our pacifick Negotiations; and we have of late Years made so many counter Treaties, that, I'm afraid, every Nation in Europe despises our Promises, as much as they contemn our Threatnings.

If we consider what has been done since last Session, and the great Expence the Nation has been put to, nay, if we give Credit to what has been insinuated by the noble Lords who have spoke in Favour of this Convention, we cannot say his Majesty has obtained this Treaty, insignificant as it is, by peaceable Measures, but by warlike Preparations; and if the Obstinate of the Spaniards made such Preparations necessary, they, and not the People of this Nation, ought to have been made to pay for their Obstinate. But with regard to the Treaty itself, if we will but look upon the Resolutions and Address of last Year, we must see that it is still more contrary to the Advice we than gave. We advised and recommended in the strongest Terms, that his Maje-

sty should insist upon no Search, and also upon no contraband Goods: In this Treaty there is not a Word of either; and yet every one must allow, that we recommended, and that we had great Reason to recommend, A that the Spaniards should be obliged, either by peaceable Means, or by Force of Arms, to pass from both these Pretences in the most express Terms. The Spaniards, my Lords, may, without our Consent, make what Regulations they please for preventing an illicit Trade with their Colonies in America, provided those Regulations be not inconsistent with the Law of Nations, nor contrary to the Treaties subsisting between the two Crowns: But that of searching our Ships on the open Seas, C is not only inconsistent with the Law of Nations, but expressly contrary to the Treaties subsisting between the two Crowns. The noble Lord was pleased to repeat a Part of the 14th Article of the Treaty 1667: I wish he had repeated the Whole; D for by that Article it is expressly stipulated, That if any Ship belonging to the Subjects and Merchants of the one or the other Nation, entering into Bays, or in the open Sea, shall be encountered by the Ships of War of the other; such Ships of War, to prevent Disorders, shall not come within Cannon-Shot, but shall send their Long-boat, or Pinnace, to the Merchant Ship, and only two or three Men on board, to whom the Master shall shew his Passports and Sea-Letters, to which, entire Faith and Credit shall be given. Nay, by the foregoing Article it is provided, E That if the Ships belonging to the Subjects of the one or other Nation, be necessitated to anchor in the Roads or Bays of either, or even to enter into the Ports of either, they shall not be molested or visited; but that it shall be sufficient for them to shew their Passports or Sea-Letters, which being seen by the T 112 respective

respective Officers of either King, the said Ships shall return freely to Sea without any Molestation. From hence we may see, how careful our Administration was in the Reign of *Charles II.* to guard against our Merchant Ships being exposed to the Trouble and Inconveniences of a Search; and yet some People are as ready to censure every Thing that was done in that Reign, as they are ready to applaud every Thing that has been done in the present.

This Treaty of 1667, my Lords, as the noble Lord that spoke last has observed before me, is a general and unlimited Treaty: It relates to the Seas of *America*, as well as to the Seas of *Europe*; and as it has been renewed and confirmed by every Treaty between the two Crowns since that Time, it plainly demonstrates, that the searching our Ships in any Part of the World, or under any Pretence whatsoever, is contrary to Treaty, as well as inconsistent with the Law of Nations. Therefore, as the *Spaniards* have lately set up a Pretence to search our Ships on the open Seas of *America*, before we had submitted to treat with them about any Regulations for rendering effectual the Right they have to prevent an illicit Trade with their Settlements in that Part of the World, we ought to have insisted upon their passing from this Pretence, in the most explicit Terms that could be made use of.

Now, my Lords, with regard to contraband or prohibited Goods, for we must take Care to distinguish between the two: Because contraband Goods are only Arms, Ammunition, and other Utensils of War, which are on board a Ship bound to an Enemy's Port; therefore none of our Ships, either in the *American Seas*, or any other Seas, can have any Goods on board, which the *Spaniards* can call contraband, unless she be bound to some of the Ports of those who are at that very Time in

War with *Spain*. But suppose a *Spanish* Ship of War should meet at Sea a *British* Ship, and that by her Passports or Sea-Letters it should appear, that she is bound to a Port then belonging to the Enemies of *Spain*; for it can no other Way appear but by her Passports or Sea-Letters, as is evident from the 14th Article of the Treaty 1667, which I have already mentioned; Yet even in that Case, the *Spaniards* are not to search the *British* Ship at Sea, nor are they to confiscate the Ship and Cargo, for the Sake of the contraband Goods that appear to be on board. By the 23d Article of the same Treaty, it is expressly provided, That in case any contraband Goods be found on board, *by the above-said Means*, they shall be taken out and confiscated; *but for this Reason the Ship, and the other free and allowed Commodities which shall be found therein, shall in no wise be either seized or confiscated*. And to prevent all Disputes about what may be deem'd contraband, the several Sorts of Goods to be deem'd contraband, are particularly enumerated in the 24th Article; and by the 25th Article it is expressly stipulated, That Wheat, Rye, Barley, or other Grain, or Pulse, Salt, Wine, Oil, and generally whatsoever belongs to the sustaining and nourishing of Life, shall not be deemed contraband, tho' designed to be carried to the Towns or Places of Enemies, unless such Town or Place be sieg'd, and block'd-up, or surrounded; which shews, that if the *Spaniards* had the least Regard for this Nation, or for the Treaties subsisting between the two Crowns, they would never have pretended to have seized a *British* Ship in the *American Seas*, on Account of her having any contraband Goods on board.

As to prohibited Goods, my Lords, they are very different from those properly called contraband. Prohibited Goods, which in Latin are called

called *Merces Prohibiteæ*, without adding the Words, *Vulgo Contrabande*, are such Goods as are prohibited to be imported, or such as are prohibited to be exported, by the Laws of any particular Country. Both in *Spain* and *England* there are Goods which are prohibited to be exported, and as there is an Intercourse of Trade between the two Nations in *Europe*, the Subjects of *England* may be liable to be punished, if they should export from *Spain* any of the Goods prohibited to be exported by the Laws of that Kingdom, as well as the Subjects of *Spain* may be liable to be punished, if they should export from hence any of the Goods prohibited to be exported by the Laws of this Kingdom. This, I say, may be the Case with regard to our respective Dominions in *Europe*; and therefore this Case too was regulated by the Treaty 1667; for by the 15th Article of that Treaty it is stipulated, That if any prohibited Goods be exported from the Territories of either of the said Kings, by the respective Subjects of the one or the other, the prohibited Goods shall be only confiscated, and not the other Goods; neither shall the Delinquent incur any other Punishment, except he shall carry out from the Dominions of the King of Great Britain, the proper Coin, Wool, or Fullers Earth of the said Kingdoms; or shall carry out of the Kingdoms or Dominions of the said King of *Spain*, any Gold or Silver, wrought or unwrought; in either of which Cases the Laws F of the respective Countries are to take Place.

But, my Lords, as there is no Intercourse of Trade between the Subjects of Great Britain, and the Spanish Settlements in *America*, or between the Subjects of *Spain* and the British Settlements in that Part of the World, therefore there can be no Goods on board any Ships of the one Nation trading in those Seas,

that can be called prohibited by the other. The very Trade itself is prohibited, and consequently every Shilling's Worth that any British Ship can export from the Spanish Settlements in *America*, let the Goods be A of whatever Sort or Kind, must be prohibited; and may be seized and confiscated, not because she has got prohibited or contraband Goods on board, but because she has been concerned in an illicit Trade.

From what I have said, my Lords, B it must appear, that no British Ship sailing in the American Seas, can have any Goods on board which the Spaniards can call prohibited or contraband Goods; and as they have lately set up such a Pretence, and have seized and confiscated a great C many of our Ships upon that Account, therefore we ought to have insisted upon their waving that Pretence, before we had submitted to treat with them upon any other Article. But suppose the Spaniards should say, they do not seize our D Ships in the American Seas on Account of their having prohibited or contraband Goods on board, but on Account of their having Goods on board which are the proper Produce of their Settlements in that Part of the World, because they look upon E their having such Goods on board as an incontestable Proof of such Ships having been concerned in an illicit Trade with their Settlements. My Lords, it would be ridiculous in us to admit of this, and still more ridiculous to admit of their searching F British Ships on the open Seas of America upon this Pretence; for they would certainly soon after pretend to search every Ship they met with in the European Seas, and to confiscate Ship and Cargo, in case they should find any Spanish Gold or Silver on board; because they would say, that her having Spanish Gold or Silver on board, was an incontestable Proof of her having exported G it

it clandestinely from some Part of *Spain*, and consequently that the Laws of their Country ought to take Place, according to the 15th Article of the Treaty 1667. Whereas by that Treaty, and by the Custom ever since, no *British* Ship can be searched on the open Seas by any *Spanish* Ship of War, and consequently even those Goods which are prohibited to be exported from *Spain*, cannot be seized or confiscated, after they are loaded on board a *British* Ship, and that Ship fairly out at Sea, unless it should appear by her Passports or Sea-Letters, that they were exported from *Spain*, which is a Case that can never happen; for it can never appear by a Ship's Passports or Sea-Letters, that such Goods were exported from *Spain*; because when they are exported from thence clandestinely, as they must be, no Account of them can appear in the Ship's Passports or Sea-Letters; and such Goods, when exported from any other Country, cannot then be called prohibited Goods by the *Spaniards*; because they appear then by the Ship's Passports or Sea-Letters, not to have been exported from *Spain*, and consequently can neither be seized nor confiscated by the *Spaniards*.

I shall allow, my Lords, that the *Spaniards* have as good a Right to prevent an illicit Trade with their Settlements in *America*, as we have to prevent an illicit Trade with ours. Between these two Cases a Parallel may be drawn, in order to see which of us takes the wisest and the justest Methods for preserving our Right. But I was surprized to hear a Parallel attempted to be drawn between an illicit Trade with the *Spanish* Settlements in *America*, and a clandestine or unlawful Trade upon the Coasts of *Great Britain* and *Ireland*. In the former there is no Intercourse of Trade allowed to Foreigners: No foreign

Ship can enter any of their Ports, but in Cases of the greatest Necessity; therefore, it is easy to prevent an illicit Trade, without any severe Precautions: To which I must add, that as there is no Convenience of Land Carriage from the By-Creeks and Corners of their Coast to any of their great Towns, no illicit Trade can be carried on, but at Places near some of their great Towns, and there it would be easy to prevent it, by proper Officers and proper Regulations at Land: Nay, even one of their own Governors was of Opinion, as appears by a Letter of his, which was read at our Bar, that it would be easy to prevent an illicit Trade, by proper Precautions at Land, without employing one *Guarda Costa* at Sea. Whereas in *Britain* and *Ireland* there is a free Intercourse of Trade allowed to all Foreigners, and convenient Land or Water Carriage from every By-Creek and Corner of our Coasts, to many populous Cities and Villages; and therefore, it is so easy for Foreigners, as well as our own Subjects, to run prohibited or uncustomed Goods in upon us, or to steal our Wool or Fullers Earth away from us, that it is absolutely necessary for us to take Precautions, both by Sea and Land, against such Practices.

However, my Lords, notwithstanding the Difficulty we labour under in this Case, let us but consider the Laws we have made against the Exporting of our Wool, and against Smuggling, and we shall find that no foreign Nation can have the least Ground to complain of them, nor can any Foreigner suffer by them, unless he is really guilty, or very much to blame. We have, 'tis true, very severe Laws against the Exportation of our Wool, and we have Guard-ships appointed on purpose, and instructed to seize all Ships exporting that valuable Commodity to foreign

foreign Parts; but those Guard-ships never pretend to search or seize any foreign Vessel, unless they have a full Proof, or very great Cause of Suspicion, that she has Wool on board, which was actually exported, or carried out to her, from some Part of *Britain* or *Ireland*. And as to those Laws that have been made against Ships hovering within two Leagues of our Coasts, they are so limited, that it is hardly possible any Foreigner can suffer, unless he has a real Design to smuggle; for even by the last Act that was made against such Ships, which is the most severe, I mean the late famous Smuggling Act, passed but about 3 Years since, the Vessel must have Tea, or foreign Spirits on board, and those Spirits must be in Casks under 60 Gallons; and farther, she must not only appear to be hovering, but also it must appear, that she did not proceed upon her Voyage, Wind and Weather permitting, and without the Master's being able to shew, that she was detained, or prevented from proceeding, by any necessary Cause whatsoever.

But, my Lords, lest some of the Spanish Advocates in this Country should from these Laws pretend, that we may allow the Spaniards to make free with such of our Ships as they find sailing within two Leagues of their Coasts in *America*, I must take Notice of some very material Differences between the *British* and the *American* Seas. In the first Place, I am sure no Man that has a true British Heart, will allow the Spaniards to usurp such a Dominion over the *American* Seas, as we have a just Right to over the *British*. And in the next Place, I must observe, that no foreign Ship, not bound for any of our Ports, can have the least Occasion to come within two Leagues of any Part of our Shore, and much less to hover within two Leagues of

our Shore, unless she has some bad Design; but on the contrary, as our Coasts are flat, and full of Sand-Banks, every fair Trader will endeavour to keep above two Leagues from our Shore. Whereas, there are none of our Ships that come from *Jamaica* to *Britain*, or that are bound from thence to any of our Colonies upon the Continent of *America*, but must steer their Course close in with the Shore of the Spanish Islands of *Hispaniola* or *Cuba*: The Reason of this is, because the Course from *Jamaica*; by the windward Passage, is much safer than that by the Gulf of *Florida*; therefore it is chosen by all Ships coming from *Jamaica*, if they can possibly make it; but as the Trade-Winds are almost directly in their Teeth, they are obliged to keep close in with the *Cuba* Shore, because there is a Land Breeze comes off from that Island, which greatly assists them in their Course, and without which it would be impossible for them to make the windward Passage. And even when they find they cannot make the windward Passage: When they find they must bear away for the Gulf, they must, for many Leagues together, sail along the *Cuba* Shore; and as they are obliged, after they pass *Cape St. Antonio*, upon the West End of the Island of *Cuba*, to turn up against the Trade-Winds, they are under a Necessity of keeping close in with the *Cuba* Shore, in order to take the Benefit of the Land Breezes from that Island; for otherwise they would be in great Danger of being forced by the Trade-Winds and the Currents, either into the Gulf of *Mexico*, or upon the *Martires*, the Danger of which has been confirmed by Experience, for it was proved at our Bar, that two Ships were lost but last Year, because they, in their Course, kept farther from the Shore of *Cuba* than usual, in order to avoid the *Guarda Costa's*, by which Means

Means they were both drove upon the *Martieres* and lost. But this is not all, our Ships must not only keep close in with the *Cuba* Shore, but when they are endeavouring to make the windward Passage, they are often obliged to hover near that Shore, or A the Shore of *Hispaniola*, for two or three Weeks, when the Trade-Winds blow hard; in order to wait for a Calm, that they may thereby have an Opportunity of making that Passage.

This shews, my Lords, that we cannot allow the *Spaniards* to search our Ships within any Limits at Sea; even tho' they should be found hovering upon their Coasts; and they have made so bad an Use of the Power they have lately usurped, that we have, I am sure, no Reason to give them a Right to that Power by Treaty, under any Limitations whatever. But farther, it is a Power they have no Occasion for, unless it be to injure and interrupt our Trade; for their Coasts are not like ours in *Britain* and *Ireland*: They are not full of Inhabitants, and fishing or trading Villages at every Creek: They have no Inhabitants, but in, or near their great Towns, therefore no illicit Trade can be carried on but in their Ports, or at some Creek very near them; and there it is impossible to carry on any illicit Trade, but by the Conivance of the *Spanish* Governor, which is generally purchased by illicit Traders, in which Case the *Spanish Guarda Costa's* dare not touch them; so that these *Guarda Costa's* can be of no real Use, but to molest and plunder, or seize, under frivolous Pretences, those foreign Ships that have no Design to carry on an illicit Trade with the *Spanish* Settlements, and therefore will not be at the Expence of making Presents to G *Spanish* Governors.

I hope, my Lords, I have now made it appear, that no Regulations

can be settled between Spain and us, for preserving the Right they have to exclude Foreigners from carrying on any Trade in their Settlements in the *West-Indies*. They may lay what Penalties and Forfeitures they will, upon their own Subjects in that Part of the World: They may even lay what Penalties and Forfeitures they will, upon those *British* Subjects that shall come within their Territories, contrary to the Treaty 1670; but they can lay no Penalty or Forfeiture on, nor can they subject to their Regulations, any *British* Ship or Subject that does not come within their Territories in America, which we cannot allow them to extend beyond the Limits of their Ports, Havens, and inhabited Creeks, unless we have a Mind to yield up to them the Sovereignty of the American Seas, which I hope no *British* Minister will dare. Therefore I cannot comprehend what our Plenipotentiaries have to regulate, with relation to our Trade and Navigation, unless they are to regulate and restrain (for every Regulation must be a Restraint) our Right to a free Navigation in the American Seas, or our Right to carry in our Ships, whatever Goods or Merchandise we please, from one Part of E his Majesty's Dominions to another: From hence it is evident, that this Convention is so far from being agreeable to the Resolutions of this House last Session, that it is directly contrary to them; for which Reason, it ought certainly to be some Way amended.

But to me, my Lords, no Amendment can be of any Signification. I shall be against the Motion, however amended: The Convention I cannot approve of in any Shape, or in any Words: I have shewn it to be a most dishonourable and destructive Treaty; and therefore, if any Motion had been made for censuring it, I should have most heartily

tily concurred; but as no such Motion is now before us, I shall satisfy myself with giving a Negative to the present Question. In this, I hope to have a Happiness I have been for many Years very little accustomed to: I hope to have the Concurrence of a great Majority of this House; for surely, no Lord that hears me, can be under the least Difficulty in joining with me upon this Occasion. If the Question had been for censuring this Treaty, bad as it is, some Lords might have found themselves under Difficulties: They might, perhaps, have been unwilling to censure what has been done by their Friends; but no Rule of Friendship can lay them under a Difficulty in giving their Negative to the present Question. It is only refusing to approve of what they think does not deserve their Approbation; and to approve with our Lips, of what we in our Hearts despise, is the Part of a Flatterer, not of a Friend.

Upon this C. Cicerejus stood up again, and made a short Speech, the Purport of which was as follows, viz.

My Lords,

**A**S I am far from having the least Doubt of our Right to a free Navigation in the American Seas, or of our Right to carry in our Ships what Goods or Merchandise we think proper, from one Part of his Majesty's Dominions to another, I very much approve of what the noble Lord that spoke last has said in F Vindication of these our Rights; but from his having been at the Pains to say so much in their Vindication, I am persuaded the Spaniards may have something to say against them, or at least that they may have some Reasons to offer, G why we should agree to their being laid under some Regulations, in order to secure them against an illicit

Trade's being carried on by our People in their Settlements; and this convinces me, that our Disputes upon this Subject, were of such a Nature as could not be fully settled by a preliminary Treaty. It A must require some Time to convince the Spanish Court, that these our Rights can admit of no Regulations, especially, as it is the Interest of the Spanish Governors and Captains of *Guarda Costa's* in America, to insist upon it that they may; and as B there is nothing in the Convention now before us that can in the least derogate from either of these Rights, I am far from having such an Opinion of it as some noble Lords have been pleased to express. On the contrary, I think it the most we C could expect in so short a Time, and therefore, I thought the least I could do, was to move for an Address in the Terms I have taken the Liberty to propose.

If this were a solemn and definitive Treaty, my Lords, there might D be some Reason for saying that it did not come up to our Resolutions and Address of last Session; but as it is only a preliminary Convention, and as by this Preliminary his Majesty has obtained, by peaceable Measures, a Part of what was recommended to him last Session, I mean Reparation for our Losses, and has, in my Opinion, laid a Foundation for obtaining, by the same Means, all that was recommended to him, I think he deserves Thanks from every Man who delights in Peace, or wishes Prosperity to the Trade and Navigation of Great Britain. From such, I say, he deserves Thanks, and he deserves it the more on Account of his having obtained those Terms by peaceable Measures; for tho' the fitting out of Squadrons may be called warlike Preparations, they cannot be called warlike Measures; and whatever other Lords may think, I shall al-

ways

ways be of Opinion, that in Time of Peace, as well as in Time of War, the Courts we negotiate with will have the more Regard to what we propose, when they know we are ready to back our Proposals with a well-disciplined Army, and a powerful Fleet to convey that Army wherever we have a Mind. We can, 'tis true, raise Armies, and fit out Squadrons whenever we please, but we can do neither in an Instant; and when foreign Powers know that we have none such ready, they will of course suppose, they may have Time to prepare for their Defence, before we can be in a Condition to attack them, which will render them less pliable than they would be, if they knew that the immediate Consequence of their Refusal would be a powerful Invasion from this Kingdom, upon some Part of their Territories.

For these Reasons, my Lords, I do not think the Motion I have made stands much in need of any Amendment; but if the noble Lord D that spoke last, or any other Lord, will please to propose an Amendment, I shall willingly agree to it, unless it appear to be a very unreasonable one; for all that I propose, my Lords, is, that we should make such a Compliment upon the present Occasion to his Majesty, as has always been usual when any Treaty, Convention, or Negotiation, has been laid before this House by the King's Order. This, I think, is upon all such Occasions necessary; but upon the present I must think it more necessary than upon most others; because his Majesty's Success, with regard to the solemn and definitive Treaty, which is to be concluded in pursuance of this preliminary Convention, must entirely depend upon the Respect shewn to his Majesty by his Parliament upon this Occasion.

The next that spoke was L. Piso, whose Speech was in Substance as follows, viz.

My Lords,

**I** VERY little mind the Address proposed, or any Address that can be proposed upon this Occasion: Nor am I under the least Concern, whether you amend it or no; for I shall be against it, however amended. I think this Convention the most inglorious, the most pernicious, that this Nation ever made; and therefore I shall be against any Thing that may seem to insinuate the Approbation of this House. We are sworn to be faithful Counsellors to his Majesty, and I think it would be deceiving him, it would be a Breach of our Honour, a Breach of our Oath, to present to his Majesty an Address that may bear the most distant Resemblance of an Approbation of such a Treaty. I do not know who were the Authors of it; and therefore I cannot condemn the Convention because of the Authors, but I must condemn the Authors, be who they will, because of the Convention. But, my Lords, tho' I do not know who were the Authors, I know who were not: I knew his Majesty was not: I know he would never have approved of it, if Matters had not been egregiously misrepresented to him. It is not, my Lords, to the King, we are to shew our Respect by an Address upon this Occasion: It is to his Ministers; for I must always look upon Addresses that seem to insinuate an Approbation of publick Measures, as Addresses made to the Ministers who advised and conducted those Measures. It is not therefore to the King, but to his Ministers, that we are to shew our Respect upon this Occasion; and the only Method by which we can regain from foreign Nations that Respect which is due

to this, and that which we have forfeited by our late Conduct, especially by our agreeing to this Convention, would be to shew no Respect to those that made it, but to censure it, and then address his Majesty, to know who had advised A it. This would be shewing a due Respect to our Sovereign, and a due Respect to our own Honour. As for our Success, with regard to the solemn and definitive Treaty, that is to be concluded in pursuance of this preliminary Convention, I hope we shall have none, I would disappoint it if possible; for I am sure it is impossible to obtain an honourable Treaty, in pursuance of such a dishonourable Preliminary.

Last Session of Parliament, my Lords, we strengthened the Hands C of the Crown in a most extraordinary Manner: We put it in the Power of the Crown to obtain Satisfaction, Reparation, and Security, by Force of Arms, if they could not be obtained by peaceable Means; but no proper Use has been made D of the extraordinary Powers we then granted. Great Fleets have, indeed, been fitted out: The Nation has been put to great Expence, our Seamen harrass'd, and our Trade interrupted: From these mighty Preparations the Nation expected great E Things; but the Spaniards knew better: They knew the Instructions given to our formidable Squadrons; or at least they judged of them from former Experience. They knew our Fleets were directed by the same F Counsels they have been for several Years past, and therefore they concluded, they were furnished with the same harmless Instructions. We had before sent a Fleet to Cartagena, where it lay peaceably for several Months, an Overmatch for G Spain, but an unequal Match for the Worms and Climate. We had before sent a Fleet to Gibraltar, when it was actually besieged by

the Spaniards; but that Fleet was not to attack or annoy them: No, it was so civil as to open to Right and Left, and let Provisions pass through for the Enemy's besieging Army: Nay, it seems, they had Instructions not even to protect our Trade; for some of our Merchant Ships were taken under their very Nose.

Our Fleets sent out last Summer, my Lords, now appear to have had the same Sort of Instructions. We B may judge of the Instructions given to that sent to the West-Indies, from an Accident that happened. One blunt English Captain that was sent out upon a Cruise, imagining that his Country was not put to the Expence of sending out Fleets to do nothing, happened to meet with a Spanish Register Ship, which he took and brought into Jamaica, as a lawful Prize; but the Commodore knew the Secret: He knew we were not to take, but in the most humble Manner to sue for Satisfaction and Justice; and therefore he ordered the Captain not only to set his Prize at Liberty, but to convoy her back, with great Respect, to the Latitude in which he took her. Our Squadron sent to the Mediterranean could have no warlike Instructions; because they could do no Harm to Spain, unless it had been to make Prize of some of their fishing Boats, or coasting Barks: They had no Land Forces on board, nor were provided with any Thing proper for annoying any Spanish Town or Village upon the Sea Coast. None of our Fleets therefore could give the least Weight to our Negotiations: They could serve for nothing, but to confirm the Spaniards in the contemptible Opinion they have long entertained of us; and the Consequence we find is agreeable. We have obtained no Satisfaction for the many Indignities that have been put upon us: It does not appear that

we ever asked for it. We have obtained no Reparation for our Losses; but what was before agreed to by Spain, or what one Part of our own People must make to the other. And we have obtained no Security for our Trade or Navigation: That we have left entirely to our Plenipotentiaries; and they are such Plenipotentiaries, as, I believe, no Nation in the World would have trusted with an Affair of such Consequence; for I do not know that either of them has one Shilling's Worth Estate in any Part of his Majesty's Dominions, to answer for any Malversations or Breaches of Faith they may be guilty of.

I am surprized any Lord should imagine, we have got as ample Satisfaction as we could insist on. My Lords, the Word Satisfaction ought not to be mentioned by any one that talks in Favour of this Convention: We have got none. Has Spain agreed to punish or deliver up any one of its Governors or Captains, that have so cruelly used our Seamen? This alone can be called Satisfaction; and this we were afraid to ask. We have not so much as got, by this Convention, any Reparation for our Losses; and yet we have by this Convention given the Spaniards a general Release. My Lords, I shall shew that we have got no Reparation, but what Spain had before agreed to give, or what one Part of our own People must make to the other; and in order to do this, I must examine the just Demands, which, 'tis said, Spain had upon us. The only Demands I ever heard of are, that which relates to the Ships we took from them in the Mediterranean in 1718; and that which relates to the Ship they call the *Sta. Theresa*, which was seized at Dublin in 1735. If there are any other, I wish the noble Lords who talk so much in Favour of the Convention, would mention and explain them.

Now, my Lords, with regard to the Ships we took from them in 1718, I must insist upon it, that they were justly taken, and were lawful Prize. But as we, by the Treaty in 1721, agreed to restore them, let us examine the Words of that Treaty, in order to see whether we have not long since complied, as far as we were obliged, with the Terms of that Treaty. The Words of the 5th Article of that Treaty are, That his Britanick Majesty shall cause to be restored to his Catholick Majesty, all the Ships of the Spanish Fleet which were taken by that of England, in the naval Battle fought in the Seas of Sicily in 1718, with the Guns and other Equipage, *in the Condition they are at present*, or else the Value of those that may have been sold, *at the same Price that the Purchaser shall have given*. These are the Words of the Treaty; and in pursuance of this, his Catholick Majesty sent Commissioners to Port Mahon, where all these Ships were, except one, for I never heard that any more of them were sold, and the Ships were accordingly, by his Majesty's Orders, offer'd to be delivered to these Commissioners, with their Guns and other Equipage, in the Condition they were then in, which was all we were obliged to; but the Commissioners refused to accept of them, because they were in a decayed Condition, and unfit for Service. Therefore, if these Ships were not restored, it was the King of Spain's own Fault; for we performed all that was incumbent upon us by the Treaty 1721; except as to what related to the Ship that had been sold, and that Ship having been sent to Spain by those that purchased her, after they had fitted her up for Service, at a very great Expence, the Spaniards thought fit to seize her, by which they gave us a Claim upon

upon them, instead of their having any upon us, on account of that Ship; for we were obliged to account for her only at the Price at which she was sold, whereas, when they seized her, she was worth a great deal more.

From hence it appears, my Lords, that they could have no just Demand upon us, on account of any Obligation we laid ourselves under by the Treaty 1721. And with respect to the Ship they called the *Sta. Theresa*, it is well known, that she was one of those many *British* Ships that have been of late most unjustly seized and confiscated by the *Spaniards*; and as she happened to be sent upon a Voyage to *Dublin* by some *Spanish* Merchants, the former Owner being there at the Time, immediately discovered her to be his Ship; and he having applied to the Government there, and fully proved his Property, we could not refuse to do Justice to our own People in our own Ports; tho' we have for many Years neglected to obtain Justice for them from the *Spaniards*; but if we consider the Convention, we shall find, that the Value of this Ship is not to be included in the 60,000*l.* Demand which they make upon us; for by the 2d separate Article, this Ship is to be referred to the Plenipotentiaries, and if they should give it against us, the Value of her is still to be accounted for, or to be allowed in Whole, or in Part, as a Compensation for the *British* Ship called the *Success*, the Restitution of which is stipulated by the same Article.

I hope I have now shewn, that the *Spaniards* had no just Demands upon us; and therefore, I cannot comprehend how any Lord can talk of the mutual Demands that were between the two Nations. My Lords, there were no mutual Demands: The Demands were all of our Side: We had taken great Care they should have

no Demands upon us; for to our Christian Patience and Long-suffering, we added a Christian Sort of Revenge. We heaped Coals of Fire upon their Heads, by returning them many good Offices for A many Injuries received; but whatever Christianity may teach with regard to private Life, I am sure it inculcates no such Doctrines with regard to the Behaviour of Nations or Governments towards one another; and I have good Reason to B believe that those who have been the chief Authors of our political Tameness and Submission, were no Way influenced by any Christian Motives.

I shall now, my Lords, consider the Demands we had upon *Spain*: C and here I must observe, that the Demands of our Merchants for Ships plundered or seized by the *Spaniards*, before our Commissaries returned from *Spain*, which is three or four Years since, amounted to above 400,000*l.* which Sum was reckoned as the Value of what was taken or plundered at prime Cost, for if our Merchants had valued it at what they might have sold the Cargoes for at Market, it would have amounted to above 500,000*l.* besides the Damages they suffered E by the Interruption of their Trade, raising the Premiums upon Insurance, and Loss of Ships, two of which we had an Account of from the Gentlemen that were examined at our Bar, besides many others that were never heard of, some of which F there is great Reason to suspect, were taken by *Spanish Guarda Costa's*, and the Ships, with every living Soul on board, sent to the Bottom of the Sea, after those Pirates had gutted them of all they thought fit for their Purpose. Therefore, the G Amount of our real Damages, and consequently of our real Demands upon *Spain*, at the Time our Commissaries left that Kingdom, was at least

least 500,000*l.* Sterling; and as the Spaniards have taken and plundered a great many of our Ships since that Time, our Demands upon them for Damages, without reckoning Costs, must have amounted to a great deal above 500,000*l.* at the Time we began to negotiate this Convention; for if to this we should add our Costs, I mean the extraordinary Expence the Nation has been put to by their obstinate Refusal of Justice, our Demands upon them at that Time, would Amount, I believe, to at least a Million Sterling, without one Shilling's Worth of a just Demand upon their Side; and this whole Demand we have by this Convention released, for the Sum of 27,000*l.* which is less than the King of Spain himself had allowed (before this Convention was thought of) to be justly due to us, as I shall presently make appear.

My Lords, the Value put by our Commissaries on the Demands of our Merchants, is what I have not the least Regard to. They seem to have been *Spaniard* and not *English* Commissaries. 'Tis true, they reduced the Demands of our Merchants to 200,000*l.* but they had not the least Reason for what they did. One of them that was examined at our Bar, could not give the least Shadow of Reason for making any Reduction, and much less for making such an extraordinary Reduction. From what he said, we may judge, how they lumped Things in Favour of *Spain*. He told us, that for about 20 Sloops, that even they allowed to have been unjustly seized, they lumped them at 100*l.* a-piece, tho' every one knows, that no Sloop, proper for sailing on Seas where Tornado's, Tempests, and Hurricanes are frequent, can be built and fitted out for 100*l.* without

reduce the Demands of their Country-Men as low as possible. From whom they could have Instructions for this, I cannot imagine: I am sure it was not from his Majesty; and if they received such Instructions from any of his Ministers, they ought not to have complied with them: It was betraying his Majesty, and sacrificing the Interest of his People, to the selfish Views of some of his Ministers.

But even this Sum of 200,000*l.* B the Court of *Spain* was resolved, it seems, not to make good; and as our Ministers were, it seems, resolved to have a Treaty at any Rate, it became necessary for them to reduce this Sum: For this Purpose we have allowed of a Demand of 60,000*l.* which the Spaniards made upon us, tho' they had not, as I have shewn, the least Pretence for making such a Demand. This reduced the 200,000*l.* to 140,000*l.* Well, but even this Sum of 140,000*l.* the Court of *Spain* refused to pay; therefore we allowed them to deduct 45,000*l.* for prompt Payment. Whatever other Lords may think, I must think, an Allowance of near one third of the Sum due, is a pretty extraordinary Allowance for prompt Payment; especially, when that E which is called prompt Payment, is only a Promise to pay in four Months. I have often, my Lords, heard of an Allowance made for prompt Payment, when Money is paid before it is due by Law or Custom; but I never heard that the F Creditor made an Allowance for prompt Payment, when he gave his Debtor four Months Forbearance: The Allowance is then generally of the other Side. This was the Case between *Spain* and us. The Money was due, and immediately payable both by Law and Custom; therefore they should have made us an Allowance for Forbearance, instead of our making them an Allowance for prompt

prompt Payment. What Necessity, what Obligation, could we lie under to accept of Assignments upon his Catholick Majesty's Revenues in New Spain? It would have been ridiculous to accept of any such; because we knew, by Experience, A they were good for nothing.

However, my Lords, every Pretence was to be admitted, that could be made for diminishing the Sum due to us from Spain: Therefore this Allowance for prompt Payment was admitted of, and this reduced the 140,000*l.* to 95,000*l.* But still this Sum was too large: The Court of Spain would not so much as promise to pay even this Sum; therefore our Negotiators allowed, for what I know, prompted them to set up a most unjust Claim of 68,000*l.* against our South-Sea Company; and tho' the Spaniards are, by their own Acknowledgment, indebted to our South-Sea Company in a much larger Sum, yet it was agreed, that this 68,000*l.* should be immediately paid by the Company to the King D of Spain; and this immediate Payment was made the fundamental Article of the Convention; for the King of Spain's Protestation, or Declaration, I must, and, I am convinced, the Court of Spain will, consider as a Condition *sine qua non*; and our agreeing to accept of any Treaty under such a Condition, is the more extraordinary, for that it was done by one who was the Company's Servant, and at that very Time intrusted with the Management of their Affairs at that Court. F

We may now see, my Lords, what Reparation the King of Spain has, by this Convention, agreed to make us. He has agreed to make a stipulated Payment of 95,000*l.* to us in four Months, provided our South-Sea Company make an immediate Present to him of 68,000*l.* so that he is to pay to us but 27,000*l.* out of his own Pocket, which is a less

Sum than he had acknowledged to be due to us, before this Convention was thought of; because, before this Convention was thought of, he had acknowledged, that the five Ships, mentioned in the 4th Article, were unjustly seized, and had actually sent Orders to New Spain for their Restitution; and the Value of these five Ships will, I am sure, amount to more than 27,000*l.* Nay, if, in pursuance of these Orders, they have been restored, which, indeed, B I believe, we have no Reason to apprehend, I do not know but we may be brought 4 or 5000*l.* in Debt; for by that Article, the Whole, or any Part of them, that shall appear to have been restored, is to be repaid by us.

C Let us now see, my Lords, what Reparation we have obtained by this Convention. Our plundered Merchants are, indeed, to have 155,000*l.* divided among them, the Salaries, Fees and Perquisites of those who are to make the Division, being first deducted; and this they are to have as a full Satisfaction for their Damages, which amount to more than 500,000*l.* But how is this 155,000*l.* to be raised? Why 60,000*l.* of it, must be raised by a Tax upon our own E People, or by making a new Incroachment upon our Sinking Fund; 68,000*l.* another Part of it, is to be raised by, or rather taken by Violence from, our own South-Sea Company; and the remaining 27,000*l.* is to be paid to us by the King of Spain, which is a less Sum than he had acknowledged to be due to us, before this Convention was thought of. I beg Pardon, my Lords, for detaining you so long upon this Head; but as this Treaty seems to have been artfully calculated for palming a sham Reparation upon the Nation, I was obliged to examine it to the Bottom, in order to detect

detect the Artifices that have been made use of for covering the Deceit.

Now, my Lords, with regard to our future Security, we have been so negligent of it in this preliminary Treaty, that we have not so much as obtained from the *Spaniards* a Suspension of their wonted Depredations. Where *Spain* is to be a Gainer by a Suspension, there it is expressly stipulated; but where we are to be Gainers, it is entirely neglected. We have promised to suspend all Fortifications and Improvements in *Georgia* and *Carolina*; but *Spain* has not promised to suspend searching our Ships, and confiscating them upon frivolous Pretences. For this Neglect a learned Lord has found out a most ingenious Excuse: He has told us, that if we had stipulated any such Suspension, it would have imported an Acknowledgment of their Right to search and confiscate. How this may be in Law, I do not know; but I do not think it agreeable to common Sense. I cannot think, that my exacting a Promise from a Man to suspend doing me an Injury, is the least Acknowledgment, that he has a Right to do me an Injury. But if a Suspension could be any Way understood to be an Acknowledgment of their Right to search and confiscate our Ships, the allowing them to continue the Practice, must be a more direct, and, I am sure, a more hurtful Sort of Acknowledgment. Therefore, I must look upon this Neglect in the preliminary Convention, as a bad Omen, with respect to the definitive Treaty. The Time, it is true, in which this definitive Treaty is to be settled, is but eight Months: They cannot, perhaps, do us any great Injury in that Time; but that Term may be renewed, may be often renewed, I believe it will be renewed from Time to Time, as long as some People have any Influence in our

Counsels; for I do not believe it will ever be in their Power to make the *Spaniards* give up any Right they pretend to; and no *British* Minister will ever dare to grant them, by a solemn Treaty, a Right to A search *British* Ships on the open Seas, or a Right to prescribe to his Majesty's Subjects, what Sort of Goods they shall be allow'd to carry in their Ships from one Part of his Majesty's Dominions to another. B For this Reason, I do not know, but that our Negotiations for a definitive Treaty may last as long as our Negotiations for this Preliminary have continued, which I must look on to be at least ten Years; for these Renewals or Continuations C may be safely agreed to, because they will not be much taken notice of, or resented by the People; and during that whole Time, the *Spaniards* are to continue to exercise a most unjust Incroachment upon us, while we must continue to suspend D the natural Right we have to fortify and improve our own Dominions.

As for the Pretence, my Lords, that the *Spaniards* have given up their Right to search or confiscate our Ships, and have acknowledged E themselves in the Wrong, by agreeing to pay us Damages and Costs, I have already shewn that they have not agreed, by this Treaty, to pay us any Damages but what they had before acknowledged to be due; and I was surprized to hear a learned F Lord, who certainly understands what is meant by Damages and Costs, so far mistake the Matter, as to say, the *Spaniards* have agreed to pay Costs. Our Costs are the Expenditures the Nation was put to in warlike Preparations last Summer, G which the *Spaniards* have not agreed to pay one Shilling of; for whether those Preparations are to be called warlike Measures or not, they certainly cost us a great deal of

of Money; and in all Nations but this they look mighty like War: Even in this, till within these twenty Years, they have generally been the certain Harbinger of War; and will be so again, as soon as we begin to have a Regard to our Character abroad, or our Economy at home.

My Lords, I have this Day, and upon this Occasion, heard a Distinction made by a learned Lord, between a Right, and the Enjoyment of a Right. What the noble Lord meant by his Distinction I cannot comprehend; for it is a Distinction which, I confess, I do not understand. I am sure no Right is good for any Thing unless it be enjoy'd, nor farther than it is enjoy'd; and I must think, that whilst a Man prevents my enjoying my Right, he, for that Time at least, takes from me the Right itself. But after the noble Lord had made this incomprehensible Distinction, I was amazed to hear him say, there is no Matter of Right now in Dispute between Spain and us. Do not they say, they have a Right to search our Ships on the open Seas? It does not signify to us what frivolous Pretence they found that Right upon: They do pretend to it, they have enjoyed it, by our Tameness, for too many Years. Do not they say, they have a Right to seize and confiscate our Ships, if they find any Gold, Silver, Logwood, Cocoa, or other Goods on board, which they are pleased to call the Produce of their Settlements in America? It signifies nothing to us, what Reason they give for setting up such a Claim: They do pretend to it, and have actually exercised this Right, even since this Treaty was first set on Foot; for they seized Captain Vaughan's Ship on the 29th of June last, and have since condemned her for no other Reason, but because of her having some Goods on board, which they said was the Produce of their Set-

tlements, tho' it appear'd that he had taken them in at *Jamaica*. These, my Lords, are Matters of Right, which I hope our Ministers dispute with them: I hope no British Minister will ever dare to A yield to them in either of these Respects. And on the other hand, do not we say, we have a Right to a free Navigation in the *American Seas*? Do not the Spaniards deny we have any such Right? Do not they expressly say, we have no B Right to any Navigation in those Seas, but such as they have granted us by Treaty? And That, they say, is only to and from our own Colonies, whilst our Ships steer a direct Course; which they, as Sovereigns of the *American Seas*, are to be the C only Judges of. This is the Meaning they put on the 8th Article of the Treaty 1670, which every Man must be convinced of that has read *Mr. de la Quadra's Letter to Mr. Keene* of the 10th of February was a Twelvemonth: His Words are, after having given an Abstract of that Article, — 'That these Words plainly shew the little Grounds of the Proposition you have advanced, that his Britannick Majesty's Subjects have a Right to a free Commerce and Navigation in the *West-Indies*, the only Navigation that can be claimed by them being that to their Islands and Plantations, *whilst they steer a due Course*; and their Ships liable to Seizure and Confiscation, if it be proved that they have altered their Route, without Necessity, in order to draw near to the Spanish Coasts.' This, 'tis true, my Lords, is a most false and ridiculous Interpretation of that Article; but this they have been prompted to insist on by our Tameness, and by our puzzling the Case with our Negotiations.

From hence we must see, my Lords, that there are Rights of great Importance in Dispute between

*Spain* and us. They pretend to Rights which we can never admit of, as long as we possess a Foot of Ground, or have any Trade, in the *West-Indies*; and they deny us a Right that every free State in the World has a just Title to by the Laws of Nature and Nations; and I will venture to prophesy, that without a War they will never give up the former, nor acknowledge the latter. We may negotiate as long as we please: We may conclude sham Treaties and Conventions, as temporary Expedients for amusing our own People; but from our late Conduct they have conceived such a contemptible Opinion of us, that we must now fight them before we can expect any Justice or Satisfaction from them. This must at last be the Case; but when this happens, it will not be those who then advise a War, but those who by their pusillanimous Conduct have made it necessary, that ought to be blamed for having led the Nation into a War. If we had properly resented the first Insult, and had peremptorily insisted upon full Satisfaction, we might have obtained it by peaceable Means; but now, I'm afraid, it is become impossible: We must go to War before we can expect either Satisfaction or Quiet; and when we do, I hope it will be conducted with Wisdom and Vigour; for if we shew the same irresolute Conduct in War, we have lately done in Peace, if we seem afraid of hurting the Enemy too much, like a femeleſs and spiritleſs Animal fallen into a Mire, the longer we struggle, the deeper we shall sink, and may at last come to be suffocated in the Mud: Whereas, by a bold and vigorous Push at first, we might have got through the Quagmire, and thrown ourselves safe upon the opposite Shore.

Having now shewn, that our Right to a free Navigation in the *American Seas*, is one of those Rights that is disputed by *Spain*, we must from thence conclude, it is one of those Rights, that is by this Convention A to be regulated by Plenipotentiaries. That is to say, my Lords, it is to be given up by our Plenipotentiaries; for if it be regulated, it must be destroyed: Every Regulation must be a Restraint, and that which is put under a Restraint, can in no B Sense be said to be free. The Right *Spain* pretends to, of searching our Ships in the open Seas; and the Right they pretend to, of prescribing to us what Sort of Goods we may carry in our Ships, from one Part of the *British* Dominions to another, are Rights which, I hope, are now in Dispute between *Spain* and us; and are therefore Rights C that are referred to be regulated by our Plenipotentiaries. My Lords, if we agree to regulate them, we grant them; and if we grant them under D any Regulations, we can no longer pretend to a free Navigation or Commerce in the *American Seas*; therefore, my Lords, I must look upon this Article as an artful or indirect Surrender (I shall not give it the Name it deserves) of the most undoubted and the most valuable Rights E of the People of *Great Britain*. A learned Prelate who spoke some Time ago \*, and a learned Lord who spoke since †, have, indeed, upon this Subject, shewn themselves excellent Advocates for *Spain*: I F hope the *Spaniard* Plenipotentiaries will neither have so much Eloquence, nor so many Arguments; for, if they have, as I have no very great Opinion of the Capacity or Qualifications of our own, I am afraid we shall come off with the G worst. But their Arguments in Favour of *Spain* have been so fully

\* This relates to a Speech made by Q. Saloniſus Sarra, who assumed the Character of a Right Rev. and learned Prelate. + This relates to the Speech of C. Plinius Cesarius above mentioned, who assumed the Character of a learned Lord.

answered by a noble Duke \* that spoke after the reverend Prelate, and a noble Lord †, that spoke last but one, that I need not, if I could, add any Thing to the Answers they have made; therefore, I shall only wish that our Plenipotentiaries had A been here to have heard them, in order that they might have learned, how to defend the Cause of their Country, against the most artful Arguments that can be made use of by its Enemies.

The only other Right now in Dispute between *Spain* and us, that seems to have been taken the least Notice of in our late Negotiations, is our Right to *Georgia* and *Carolina*. This the noble Lord who spoke last but two, has represented as a Dispute about Limits only; tho' every one knows the *Spaniards* have lately begun to dispute our Right to *Georgia*, and even to a great Part of *Carolina*, particularly our Right to the former, which they so peremptorily deny, that they would not allow the Name to be so much as D mentioned in this Convention; and as we have lately given that Country the Name of *Georgia*, not only by Charter, but by Authority of Parliament; our accepting of an Article about the Regulation of Limits, without mentioning our frontier Province, will, I'm afraid, be considered by the *Spaniards* as a Surrender of that Province. We may, if we will, give up *Georgia*: We may give up *South-Carolina*, and yet say that the only Dispute between Spain and us was about Limits; because the *Spaniards* insisted, that the River *Podie* upon the Borders of *North-Carolina*, was the proper Limit between *Florida* and *Carolina*; whereas we insisted, that the River *Alatamaha* was the proper Limit. This, I say, might be called a Dis- G

pute only about Limits; but if we should give up all the Country lying between these two Rivers, if we do not give up a Right, I will say, we give up a very valuable Possession.

I have now shewn, my Lords, that, by this Convention, we have obtained no Reparation, and that, so far from obtaining future Security, we seem to have, in some Measure, given up every Thing, upon which our future Security can be founded. What, then, could induce us to accept of such an unsatisfactory, such a dishonourable Preliminary? Which is a Question that leads me of course to consider the present Circumstances of *Europe* in general, and of this Nation in particular. This, my Lords, I confess, C is a Subject which I touch on with Reluctance; because, I am sure, it can afford no great Comfort, either to the Speaker, or to the Hearer. The State of our Affairs, both at home and abroad, I shall grant, is dismal enough; but I am sorry to hear it made more dismal than it really is, for the Sake of justifying an inglorious Treaty, or a dastardly Submission to the most provoking Insults. The Affairs of *Europe* are, indeed, at present, in a Situation not very favourable for this Kingdom; but what is this owing to? It is owing, my Lords, to a ridiculous Notion we took up about fifteen Years ago, of the overgrown Power of the House of *Austria*: A Notion that could be instilled into us by nothing but *French* Counsels, F and who were the chief Propagators of this pernicious Notion, we may well remember. This Notion produced the Treaty of *Hanover*: A Treaty calculated for dissolving an Alliance, which we ought to have cultivated and strengthened with all our Art; because it could be prejudicial

\* This relates to the Speech of L. Aemilius Paullus, who assumed the Character of a noble Duke.

+ And this relates to the Speech of M. Agrippa, likewise above mentioned, who assumed the Character of a noble Lord.

dicial to no State in *Europe* but *France* alone. And this Treaty of *Hanover* drove us into that long Chain of Negotiations, Treaties, and Expence, by which we not only re-united the two Branches of the House of *Bourbon*, but contributed at our own Expence to aggrandize them. Our Fleets were employed to give Principalities to one of the Branches of that House; and now we are told, you must not vindicate your Rights or your Honour against one of these Branches, because it may be assisted by the other.

My Lords, if this Argument proves any Thing, it proves too much; if we dare not revenge the Affronts that are put upon us, nor repel the most unjust Incroachments, for Fear of *France*, we have nothing to do but lie down and die. It signifies nothing to put it off by Patchwork and Expedients for eight Months longer. But this, my Lords, has been our Method for several Years: Like Builders, that build a House to last only for the Term of their Lease: They build of rotten Materials; and if they can by Patchwork keep it up while they are in it, they do not care if it tumbles upon, and crushes the Landlord under its Ruins. A Minister that has no Credit or Character abroad, nor any Authority or Affection among the People at home, must have recourse to Patchwork and Expedients. He can have no Materials but the rotten Hearts of Sycophants and Time-servers; and these must be kept together, at a great Expence, by temporary Expedients: He neither can, nor will think of building a solid and lasting Fabrick; but, I hope the Nation will never allow him to build for them; or if they should be so unwise as to allow him to erect a deceitful Fabrick, that they will pull it about his Ears, before he has Time to enclose them; for if they should allow him to go on,

he may so environ them with Ruins, that it will hardly be possible for them to find their Way out.

I cannot easily believe, my Lords, that *France* will assist *Spain* in putting a Yoak upon us, that may afterwards serve as a Precedent for putting the same Yoak upon themselves. The Court of *France* is seldom so short in its Politicks. I am rather inclined to think, that the Court of *France* will either endeavour to prevail on us to accept of sham Treaties, and a precarious Security, or, in case of a War, that they will endeavour to prevent our bringing it to a speedy Issue by a vigorous Prosecution. I hope we shall take Care not to be directed or dup'd by *French* Counsels in either of these Cases; for both will be destructive to this Nation, both will serve the Ends of *France*: A precarious Peace, or a languid War, will keep up a Contention between *Spain* and us; and such a Contention will contribute greatly to establish the Trade of *France* upon the Ruins of the Trade of this Nation. But suppose these two Nations should unite against us, and that we have negotiated ourselves out of every Alliance that can give us any Assistance; yet still we must do the best we can. By a wise and vigorous Conduct we might make both of them repent of their Undertaking. They both depend greatly upon their Trade and Territories in the *West-Indies*, where we may be Masters if we will; and tho' they have both of late got great Additions of Power by our Blunders, yet they must not pretend to prescribe to all the Powers of *Europe*. Such an Attempt would bring back to us those Allies whom we have detach'd by our late Conduct; and in that Case, a Confederacy might soon be formed, that would be able to prescribe Laws both to *France* and *Spain*, instead of receiving Laws from them.

them. The present Aspect of Affairs in *Europe* is, 'tis true, dismal enough; but it is not yet so dismal as it was in the Beginning of the Year 1702; and every one knows the glorious Success of the Confederacy that was then formed against A France and *Spain*. But before we can expect any Success either in War, or in forming Confederacies, we must take Care to unite our People amongst themselves, and to establish among them a Confidence in the Conduct of those that govern them; which I am afraid cannot be done by those who have spread Disunion and Distrust not only amongst our Allies abroad, but amongst our People at home.

Our Trade with *Spain*, my Lords, was once a profitable Trade to this Nation; but as *France* has lately got much into that Trade, it is not near so profitable to us as it was. If it were not for our Plantations, I believe we should be no great Gainers upon the Balance. We shall manage the War but ill, if we do not make D more by a War with *Spain*, than we can do by a precarious and interrupted Trade. But if it were otherwise, we cannot preserve our Trade with that Nation, or with any Nation, but by preserving their Esteem and their Friendship; and these we E must lose, if we submit tamely to their Insults. These Walls, my Lords, ought to put us in Mind of the Methods by which our Ancestors preserved the Trade, and vindicated the Honour of the Nation. These shew it was not by Negotiation, nor by lumping away the just Demands of their Country. I do not know, if there are any historical Looms now at work, but I'm afraid our *Spithead* and *Carthagena* Expeditions would make as G bad a Figure in a Piece of Tapestry, as they will hereafter do in our Histories.

But, I hope, my Lords, we have

no such Looms at Work: It would be for the Honour of the Nation, if no Memorandum could be preserved of some of our past Transactions; for we must alter our Measures, before we can transmit to Posterity what they can reflect on with Satisfaction or Emulation. If we had taken Example from the Conduct of a Minister in a neighbouring Country, our Affairs both at home and abroad, would have been in a very different Situation: By encouraging Trade and Manufactures, by Parimony in publick Expence, by not engaging needlessly in any Broils, and by vindicating the Honour of his Country with Resolution when there was Occasion, he has rendered his Country happy and himself glorious. But we have followed contrary Measures, and by so doing have brought ourselves into that Distress, which is now made the chief Argument for our agreeing to this inglorious Convention.

However, my Lords, I think the State of our Affairs not yet so desperate, as that it ought to be a prevailing Argument upon this Occasion. I hope I have shewn, that the State of Affairs in *Europe*, is not so bad as it has been represented; and as F to our domestick Affairs, can they improve by submitting to daily Insults, and to Usurpations that must destroy our Trade? In such Circumstances can we pay off our Debts, can we preserve our Sinking Fund? No, my Lords, by the Decay of our Trade, our People must every Day become poorer, and less numerous: This will diminish our Consumption; and this again will of course diminish the annual Produce of our Taxes: We may, by a more rigorous Collection, keep it up to its old Value for some Years; but it will soon begin to sink considerably every Year; and this will at last annihilate our Sinking Fund. We can- not

not therefore propose to pay off our Debt, unless we preserve our Trade; nor can we pay any Debt, if in Time of Peace we must be at the Expence of War, which was our Case last Summer, and may probably be so for many Summers to come; for if great Armaments and military Preparations were necessary to procure a preliminary Convention, surely they will be as necessary for procuring a definitive Treaty; therefore we must have a numerous Army at Land, and formidable Squadrons, I mean in Show, my Lords, at Sea, till this Treaty be concluded and ratified, which I am convinced will not be very speedily. In the mean Time, as we have stipulated no Suspension, our Merchants will be plundered, and our Seamen cruelly used by the Spanish *Guardia Costas*; which will of course render our People more and more discontented, and at last disaffected. Our People, 'tis true, may become more united; but it will be against our established Government; and in that Case, I hope, it will be allowed, that our domestick Affairs would be in a worse Condition than they are at present, and our Government less able to carry on a foreign War, than our present Government can be supposed to be.

Our domestick Affairs may therefore, my Lords, grow worse, but they cannot grow better, by our continuing in such a warlike Peace, as we have continued in for almost these twenty Years; and we can expect no other Sort of Peace, till we retrieve our Character, and establish our Security, which, I think, can now be done no other Way but by a vigorous and well-conducted War. But suppose, my Lords, the State of Affairs, both at home and abroad, were as dismal as it has been represented by those who have spoke in Favour of this Convention, could this be any Reason for our

suing for, or agreeing to such a Treaty? We were in no Danger of being attacked by Spain: We were not so much as threatened with any such Attack: We wanted only Satisfaction and Reparation for past Injuries, and Security against future: Therefore we had no Shadow of Reason for agreeing to any Treaty that did not give us either the one or the other. By this we have obtained neither: We have absolutely released and given up the former; and we have rendered the latter more precarious than it was before. If we had made no Treaty, no Preliminary, Spain could only have continued to seize and confiscate such of our Merchant Ships as they could meet with and overtake; and this they may still do, notwithstanding this Treaty. What would have been the Consequence? Suppose the Nation at present absolutely unable to vindicate its Rights or its Honour by Force of Arms, yet we might have waited with Patience till an Opportunity offered, without being exposed to suffer, in the mean Time, more than we are now exposed to, notwithstanding this Treaty; and when an Opportunity offered for vindicating our Rights and our Honour by Force of Arms, E we could then have insisted upon full Reparation for all Losses, all Damage, all Expence, which we cannot now do; because by this Treaty we have given a general Release. I shall agree, my Lords, that this Nation can never long want an Opportunity for Revenge against any Nation in Europe. This is our Happiness: but this ought to have been an Argument against our granting such a generous Release as we have granted by this Preliminary. Besides, my Lords, it is an Argument some People ought to be ashamed to mention, if they could be ashamed of any Thing. It is almost twenty Years

Years since Spain set up every Claim against us, they now pretend to : It is almost twenty Years since they have been in a continued and uninterrupted Course of insulting the Nation, plundering our Merchants, and maltreating our Seamen ; and 'tis A strange, that in so long a Time, we could find no Opportunity for Revenge, against a Nation, which no Man will say is by itself an equal Match for this. My Lords, we have had many Opportunities ; but we have neglected them all, or have been prevailed on by French Counsels, or worse, to make use of none of them. We had one about seven Years since, which, it is amazing, we neglected ; and the fatal Consequences of that Neglect now begin to appear ; but, I'm afraid, they C do not yet all appear : If they are not prevented by a Change of Measures in this Kingdom, they may prove fatal to Europe as well as England ; and they cannot be prevented without an infinite Expence to this Nation, for which those who gave D Rise to them, ought, I hope, they will be made to answer.

This shews, my Lords, that we ought not to have been so ready, I shall not say rash, in approving of

Treaties or Negotiations, as we have been for several Years past. We ought to approve of no Treaty without maturely considering its Terms and its Consequences, as also the Necessity there was for agreeing to it ; for as every Treaty is a new national Obligation, no Treaty ought to be agreed to, without some Necessity for so doing. And I am convinced that no Man who maturely considers the Treaty now before us, either in its Terms, its Consequences, or the Necessity there was for our agreeing to it, will approve of it in any Shape. An immediate War is not the necessary Consequence of our refusing to approve of it, by putting a Negative upon this Motion. His Majesty may, nevertheless, wait for a more proper Opportunity for declaring War. But if we should, in any Shape, approve of this Treaty, the Demands which we may justly make, and fully obtain, in case of a successful War, will thereby be greatly diminished ; therefore the D Motion which the noble Lord has been pleased to make will, I hope, be disagreed to.

[This Journal to be continued in our next.]

### PROCEEDINGS at the late ELECTION of LORD MAYOR for the City of LONDON.

**I**T may be proper, for the Sake of some of our Country Readers, to take notice, by Way of Introduction, that the Liverymen of the City of London, in Common Hall assembled, have a Right, annually to return to the Court of Aldermen, on Michaelmas-Day, two fit and able Persons, of whom the said Court are to chuse one, whom they are to declare Lord Mayor for the Year ensuing : That some Years ago, a Custom was introduced, and has since been continued, of electing Mayors, in Common Hall, by Rotation, that is, by the Liverymen returning the two senior Aldermen, who have not serv'd the Office of Mayor, as next the Chair, and the Court of Aldermen chusing the Senior of those two. But Sir George Champion, the Al-

derman next the Chair, and who is Member of Parliament for Aylebury, having voted for the late Convention, great Numbers of Liverymen resolved to resume their antient Right of a free Election, in order to set him aside : In which they succeeded, as will appear by the following Account.

On Saturday, Sept. 29, a greater Number of Liverymen appear'd at Guildhall, than was ever known on the like Occasion. Between one and two o'Clock, the Right Hon. Micael Perry, Esq; Lord Mayor, opened the Court, when Sir William Thompson, Knt. Recorder of the City, made a Speech to the F Common Hall, telling the Citizens, " That it was their undoubted Right to return to the Court of Aldermen, two fit and able Persons

## 500 PROCEEDINGS at the late Election of LORD MAYOR.

of that Court, who had served the Office of Sheriff, out of whom they were to chuse one of them, to be Lord Mayor for the Year ensuing; and that he would not take upon him to dictate to them, in their present Choice, well-knowing their Prudence would direct them, to act in the best Manner for the Good, Peace, and Welfare of this great City."

The two senior Aldermen, next below Sir George Champion, were Sir John Salter, Knt. and Sir Robert Godscall, Knt. and the Liverymen did not intend, on this Occasion, to depart any farther from the late Method of Rotation, than to set aside Sir George. Accordingly, upon holding up of Hands, the Sheriffs declared Sir John Salter, and Sir Robert Godscall, duly returned to the Court of Aldermen.

But notwithstanding the vast Majority of Hands, a Poll was demanded for Sir George Champion against Sir Robert Godscall; and on the other Side, for Sir John Salter and Sir Robert Godscall, against Sir George Champion; which began at Four the same Afternoon, but continued not a Quarter of an Hour, before it was flung up by Sir George and his Friends. Then the Sheriffs adjourn'd the Court of Hustings to Monday Morning, Eleven a Clock.

Accordingly, on that Day, they held a Court by Adjournment, and declared the Numbers upon the Poll to be as follows:

For Sir John Salter, Knt. and Ald.

95

Sir Robert Godscall, Knt. and Ald. 90

Sir George Champion, Knt. and Ald. 21

And for Want of a sufficient Number of Aldermen to make a Court, the Common Hall was further adjourn'd to the next Day.

But before they were adjourn'd, Mr. Glover, an eminent Hamburg Merchant, addressed himself to the Sheriffs to the following Effect:

Mr. Alderman Heathcote and Sir John Lequesne.

THE Worthy Liverymen of this City, here assembled before you, have now set aside, in all Probability, irrevocably and perpetually set aside, one Candidate from the honourable and powerful Office of Lord Mayor of this great Metropolis. The Reasons of this Proceeding, must, to every impartial Citizen, appear obvious and uncontrollable, being founded on that just Indignation which it becomes every true Englishman at this Time to entertain, at the many Disgraces, Barbarities and Insults, which have been suffer'd to fall upon his Country, from a Nation esteem'd in all preceding Times as the Object of our Contempt, and whose Insolence we have as often reduced and humbled, as we have exerted our Power. But still this Proceeding, begun and purſ'd with so much Spirit, conducted with so much Discretion and Decency, where the

Peace and good Order of this great City have been consulted with as much Caution, as the principal Purpose itself has been supported with Resolution and Vigour; I say, this very Proceeding may still be liable to the Censure of Abruptness and Inconsistency, if the same Motives which have influenced our Conduct in the Election of our Mayor, do not now create the same Unanimity to pay our most grateful Acknowledgments to our Four Worthy Representatives in Parliament, for their steady and faithful Adherence to all our Rights, for their vigorous Support of our Trade in particular, and of the Honour of this Kingdom in general, by their Opposition in the House of Commons to the late Convention with Spain.

A Our Instructions should likewise accompany our Thanks, that the Tenour of our Conduct may appear to be consistent and uniform throughout. For this Purpose, I have received this Paper from several Gentlemen of the highest Consideration and Character in this City, who know, that it was at their particular and most earnest Entreaty, that I have taken upon me to make the following Motion, tho' from the Propriety of the Thing itself I hope I should otherwise stand excused: I therefore humbly move, that this Paper may be read; and if, as I doubt not, it obtains the Approbation of this Assembly, that you, Gentlemen, our Worthy Sheriff, may be desired to present Copies of it to the Right Honourable Micajah Perry, Esq; Lord Mayor, to Humphry Parsons, Esq; Alderman, to Sir John Barnard, Knt. and Alderman, and to Robert Willimot, Esq; Alderman, our four Representatives in Parliament.

To the Right Hon. Micajah Perry, Esq; Lord Mayor,

Humphry Parsons, Esq; Alderman,  
Sir John Barnard, Knt. Ald. and  
Robert Willimot, Esq; Alderman,

E Representatives of the City of London in the present Parliament.

F W E the Liverymen of the City of London, in Common Hall assembled, in order to exert our undoubted Right of electing two proper Persons to be return'd to the Court of Aldermen for the Mayoralty of this great City for the Year ensuing, should be wanting both to you and ourselves, if, whilst we are shewing a just Resentment by setting aside one Person, whose Conduct we disapprove, and whom we judge unworthy of that high and honourable Office, we did not take the same Opportunity of returning you our sincere and hearty Thanks for your general Conduct in Parliament; and in a more particular Manner for your late Endeavours to preserve us from the ruinous Consequences we then too justly apprehended from the Convention with Spain.

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## PROCEEDINGS at the late Election of LORD MAYOR. 501

And, tho' neither your Endeavours at that Time, nor the Interposition of this City, had the desired Effect, yet every Man in this Nation must be now fully convinc'd of the Dishonour, as well as Danger, of that fatal Treaty.

We are now made deeply sensible of the unhappy State of this Kingdom, from the imminent Mischiefs which seem to threaten us from abroad; and it is with great Grief we observe our extellent Constitution declining in some Instances at home: But when the true Spirit and Vigour of a *British* Parliament shall exert itself, we promise ourselves, that, with the Divine Assistance, we shall be equally preserved from the Dangers of both.

In a free and uncorrupted Assembly of our Representatives consists not only the Dignity, but even the Character and very Essence of a Parliament. It is of the highest Importance, that those, whom we intrust with an unrestrained Power of making all Laws, affecting our Trade, Properties, Liberties and Lives, should be uninfluenc'd by any lucrative Considerations; and yet, notwithstanding several good Laws have been made to secure the Independency of the House of Commons, how insecure must that great Blessing be, from the Number of Placemen who have already got Footing there, and who may be augmented hereafter by many more!

It is therefore, as we apprehend, absolutely necessary, that some new and more effectual Provision should be made to reduce and limit their Number; and we require and insist, that you would use your utmost Endeavours to promote a Bill for that salutary Purpose, in Conjunction with such Patriots as may be willing to join with you, and assist you in this great and necessary Work.

As the Nation has on many Occasions found the happy Effects of applying to their respective Representatives, and giving them proper Instructions in Cases of great Consequence, as in particular with Regard to the late pernicious Excise Scheme, which was calculated for the Destruction of the Liberties of this Nation, which vile Attempt was by these Means defeated, so we are unwilling to entertain the least Doubt of meeting with the same Success upon this Occasion: And as this is a Point on which the very Being of Parliaments, and the Prosperity of this Kingdom so absolutely depends, we once more earnestly require you to make it a previous Step to the passing of any Money-Bill whatsoever.

The Motion for reading this Paper, &c., being seconded by *William Benn*, Esq; High Sheriff of *Hertfordshire*, and approv'd of by the Hall, it was accordingly read by Mr. Sheriff *Heatbore*, and receiv'd with the loudest Acclamations; and Copies of it were presented by the Sheriffs to the Four City Members, according to the Request of the Common Hall.

Mr. Sheriff *Heatbore* deliver'd his Opinion in a very pathetick Manner, with regard to the Negative Voice of the Court of Aldermen, and assured the Common Hall that he would enlarge on that Subject the following Day.

A The Citizens expressed the greatest Pleasure at the candid and just Behaviour of the Sheriffs on this Occasion, and return'd them their Thanks, and likewise to Mr. *Glover* for his Motion.

The Speech to the Liverymen concerning the Court of Aldermens Negative, was to the following Effect:

*Gentlemen,*

B Y OU have now asserted your Right in chusing a Lord Mayor, and vindicated the Honour of the City with Zeal, and govern'd your Zeal with Temper: But it will be impossible for you to act with that decisive Weight which you otherwise might have, without endeavouring to preserve, I had almost said to retrieve, your Independency. I don't mean your Independency in your private Characters; most of you, I dare answer for it, are above all Dependency; but your Independency as to your Common-Council, a constituent Part of the Legislative Body of this City. Consider, Gentlemen, that it is in the Power of a Majority of the Court of Aldermen, to put a Stop to the most vigorous Efforts of your public Virtue. It is in their Power to prevent your setting that Example

C to the Nation which may one Day animate it with a proper Spirit. Not all the Convictions of Common Sense, not the universal Voice of Mankind, nor the apparent and approaching Ruin of Liberty can avail you to procure Justice from Parliament, should a corrupted Majority prevail in putting a Negative upon your presenting your just Complaints and Remonstrances.

D Thus, Gentlemen, you are in a worse Situation than any Body of Men in this Nation; you may, if such a Majority prevails, be depriv'd of what the Laws of Nations, the Constitution of this Kingdom, and immemorial Practice, declare as the undoubted Right of all Subjects. This Situation, Gentlemen, is the more intolerable, when we consider with how great a Power the Laws in being have vested a Minister. It is in his Power to tempt Men with whatever Ambition can expect, or Avarice desire; therefore unless you can pronounce Men void of human Passions and Affections, you cannot say that you are independent. The Integrity of the present Ministry, and the Purity of the present Court of Aldermen, are no Security.

E A corrupted and corrupting Ministry may succeed the present; among the Court of Aldermen, Men may be hereafter found, whose Connexion with, and immediate Dependence upon such a Ministry are visible to all the World. If a Ministry, by Places, Posts and

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Pensions, can bring over but fourteen Aldermen to their Side, give me Leave, Gentlemen, to ask you, what Means you can find to throw out a future Excise, or to shew your Opposition to a future Convention? It is a fatal Compliment that most Communities have made to good Magistrates, when they have invested them with Powers unknown to the original Form of their Government. They don't consider that, while they are strengthening the Hands of good Magistrates, they are perhaps forging the Fetters which they and their Posterity are to wear. Therefore, Gentlemen, unless you have a positive and an evident Certainty, that the Court of Aldermen never can be corrupted by a Ministry, you ought to do your utmost Endeavours, you ought to exert your utmost Vigour, to procure a Repeal of that Clause. The Liberties of your Community, the Liberties of your Country, yourselves and your Posterity require it from you. All other Efforts of your public Spirit, without this, are in vain. In vain you labour to procure a Limitation of the Number of Placemen in Parliament, unless you, at the same Time, labour this Point; for supposing the most disinterested Parliament that ever was, to be now sitting, supposing that an Affair of the utmost Consequence to your Trade and Liberties to be depending before them, let me ask you, Gentlemen, how it is possible, if the Majority of the Court of Aldermen are in the Interests of your Enemies, for the Parliament to be instructed in the Sense of your Community? They can put a Negative upon your petitioning in your incorporate Capacity, and it is next to impossible for you to petition in a regular Manner in your private Capacities. Consider what the Effect must have been, had some Gentlemen in a late memorable Event succeeded in what they endeavour'd to effectuate. You will easily guess that I mean the Convention. Had the Majority of the Court of Aldermen been prevail'd upon to have given a Negative to your presenting your Petition, how must the Parliament and the Nation have known the Sense of the City of London? Might not then the Representatives of the Nation, if they had unanimously and absolutely approv'd of the Convention, have justify'd their Conduct, by saying, that the Acquiescence of the City of London was their Motive? You were more concern'd in its Consequences than all the Nation besides, and had you objected nothing to it, might it not have been fairly presum'd, that it was for the Interest of the Nation? How would the rest of the Kingdom have behav'd in such an Event? Might they not have reasonably thought, that the City of London were much better Judges of the commercial Interests of the Nation than they were, and that it must be a good Measure because you did not oppose it?

Give me Leave, Gentlemen, to set the

Consequences of this Power vested in the Court of Aldermen in a still stronger Light. I shall suppose that under a future Ministry a Bill is brought into Parliament, depriving the Liverymen of London of their Right to nominate two Aldermen for Lord Mayor, and that they shall be nominated by the Crown. Pray, Gentlemen, even in this Case, what Method could you fall upon to oppose this Step, but that of petitioning against it? But if the same Influence that procur'd the Measure to be set on Foot, should procure a Majority in the Court of Aldermen to put a Negative upon your petitioning against it, what Redress could you have, or how prevent the Blow? Are you tamely to give up your Rights? Or B are you to assert them in a Manner that is contrary to Law and disrespectful to your Superiors? The Consequences that must follow from this are too plain and too shocking for me to suggest them.

But, Gentlemen, it is very possible for you to reconcile your Duty with your Interest; the more dutiful your Manner of petitioning or soliciting Redress is, it must be the more solid, and more lasting. It is impossible for you to procure any Advantages, if these Advantages are solicited in a Manner that is inconsistent with the Duty you owe to your lawful Superiors. The sober, the wise Part of Mankind will desert a Cause carried on in such a Manner; and when Prudence and Moderation in Conduct are wanting, the Spirit from which D you act must soon flag, and your Redress be with the more Difficulty obtain'd. Give me Leave therefore, Gentlemen, to put you in Mind of what was observ'd by Tacitus, one of the greatest Politicians, as well as one of the greatest Friends to the Liberties of the People that ever liv'd: He observes, that in the Event of all Contentions betwixt the Government and the People, if these Contentions proceed to Tumults, the Government, if it gets the better, always acquires a new Acquisition of Power.

F From what I have said, I believe it is very plain, that your Liberties as Englishmen entirely depend on one single Fact, which is, that no Minister shall ever find the Means to corrupt fourteen of the Court of Aldermen into his Interests. I have only one or two Particulars more to trouble you with on this Head. To give any Body of Men whatsoever, who are not a supreme Legislature, a Negative upon the People, is contrary to every Maxim of good Government, because the People may then become the Slaves of those, who are themselves but a subordinate Power. Thus every End of Government may be perverted, G and the People left to the melancholy Reflexion of their not having had it in their Power to make one Struggle. But this Absurdity is vastly heighten'd, when we consider that, tho' the Government of the City of

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## PROCEEDINGS at the late Election of LORD MAYOR. 503

London is a popular Government, the only Negative that is lodg'd in any Branch of that Government is upon the People. Thus the Tribunitial Power, which in *Old Rome* was so useful towards preserving the Liberty of the People, is revers'd; for amongst them the Negative was upon the Government; amongst you, it is upon the People. But there is one Circumstance still more absurd than all the rest, which is, that this Negative is lodg'd in a Body of Men, who, by their Office, are cloth'd with a Perpetuity of Power; so that if Corruption should obtain amongst them, you have no Chance to work yourselves clear of it but by their Death. As an Alderman, I am now endeavouring indeed to abridge my own Power; but the Dangers which the future Abuse of this Power may subject us to, appear to me so terrible, that I should deserve to be consider'd as the meanest of Mankind, if I could, but for a Moment, put any Privileges of my own in Competition with what I believe to be of such immediate Consequence to the publick Liberty.—He then concluded with the following Prayer:

May the Great God of Heaven, who has often so wonderfully and miraculously preserv'd this Nation, still continue his Blessing and Preservation of us; that under the Illustrious House of Hanover, the Laws, Liberties and Trade of all his Majesty's British Dominions, may continue and be preserv'd till Time shall be no more. To which the whole Hall return'd a hearty and loud Amen.

On Tuesday, the Common Hall were again assembled, pursuant to their Adjournment; and about Two o'Clock, the Lord Mayor and Aldermen ascended the Hustings, and declared Sir John Salter, Knt. Alderman, Lord Mayor of the City of London for the Year ensuing. Which was approved of by the Citizens with the loudest Acclamations, it being one of the most numerous Assemblies that ever was seen on the like Occasion.

The following Question was moved to be put to the Common Hall by Mr. Hill, who was seconded by another Liveryman, and by the general Voice of the Hall:

Gentlemen,

"Do you consent earnestly to entreat your Lord Mayor to call a Common Council with all convenient Speed, in order to consider of a most dutiful and loyal Address to his Majesty, on the present State of the Kingdom?"

The Lord Mayor did not think fit to put the Question, but on the general Request of the Hall to have it put, he assur'd them that he would call a Common Council for the Purpose mention'd in the Question on any Day themselves should appoint. A Day was accordingly appointed, but before it came the Gentlemen thought fit to drop the Affair.

Then the Lord Mayor was going to adjourn the Court: But before that could be

done, Mr. Sheriff Heatbore addressed himself to his Lordship in Words to this Effect:

My Lord,

I crave your Lordship's Patience a little longer, it is a Matter in which the Rights and Liberties of my Fellow Citizens are deeply concerned, and I have a Right to speak, and must speak; and, I hope, these are sufficient Reasons for my taking up, at this Juncture, a few Moments of your Lordship's Time.

I move, my Lord, That our Four Worthy Representatives be desired by the Common Hall to endeavour, in the next Session of Parliament, the Repeal of a Clause of an Act, intituled, *An Act for the better Regulating Elections in the City of London, &c.*

B Mr. Sheriff then read the Question in Form, as follows: "Whereas by a Clause in an Act of the 11th Year of K. George I, for regulating Elections within the City of London, &c. it is enacted, That no Act, Order, or Ordinance, whatsoever, shall be made, or passed in the Common-Council of the said City, without the Assent of the Mayor and Aldermen present at such Common-Council, or the major Part of them;

C Do you, good Men of the Livery, now require and instruct the Right Hon. Micajah Perry, Esq; Lord Mayor, Humphrey Parsons, Esq; and Alderman, Sir John Barnard, Knt. and Alderman, and Robert Willmott, Esq; and Alderman, your Four Worthy Representatives, to use their most strenuous Endeavours for repealing the said Clause?" And then said,

D My Lord, I desire that the Question may be put, by the Common Crier, or Common Serjeant.

Which Motion was seconded by the general Voice of the Common Hall, who loudly called out for the Question. Upon which, the Right Hon. Micajah Perry, Esq; Lord Mayor, arose from his Seat, and, coming forward upon the Hustings, spoke to the Citizens, in

E Words to this Effect:

Gentlemen,

F THIS Thing is quite new to me, nor can you expect me to be ready to give you my Reasons why I will not have the Question put; only, that I do not remember a Precedent of this Nature, and I beg, Gentlemen, that this Affair may be deferred to a more convenient Opportunity.

H His Lordship also complain'd to Mr. Sheriff of Disrespect, in thus bringing Questions before that Assembly, without previously acquainting him therewith; which Mr. Sheriff handsomely clear'd himself of, and then begged of his Lordship to fix the Time, and to declare it then to the Citizens, when the Question should be put, and to adjourn the Court over to that Day.

I His Lordship did not seem willing to do this, and so there ensu'd a Silence for about half an Hour, only the Hall frequently call'd out for the Question. At length, his Lord-

## 504 PROCEEDINGS at the late Election of LORD MAYOR.

ship came forwards to the Citizens, and made a Speech to this Effect:

Gentlemen,

I have called to my Assistance your Common Serjeant, and other Officers, and have made Enquiry of them, whether there is a Precedent for this present Method of Procedure, and they all agree, that there is no such-like Instance of putting Questions here in the Common Hall.

Gentlemen, I have heard your Desire, and let me beg of you to drop the Question, and I assure you, upon my Honour, that I will take Care, that your Request shall be considered, in a short Time, and in a more proper Place.

Gentlemen, You have intrusted me with your Rights and Privileges, you have advanced me to the greatest Honour and Dignity in this City you can confer on me, and I flatter myself I have behaved to the general Satisfaction of you my Fellow Citizens. I have always studied your Interest, and the Good of this City has ever been at my Heart. And I will not be wanting to serve you in any Thing that shall be thought conducive to the Good of this City. The only Thing I desire is, that, as the Time approaches, when I must deliver up that high Trust, you have intrusted me with, I may convey to my Successor, the Constitution of this City, in the same Manner I receiv'd it from my worthy Predecessor.

Upon the Conclusion of his Lordship's Speech, the Liverymen seemed to be somewhat satisfied, and did not now, as before, so generally call out for the Question. And Alderman Heathcote addressed himself to the Common Hall in a Speech to this Effect:

Gentlemen,

I HAVE the Honour to be personally acquainted with his Lordship, and to be a Member of that Honourable House, in which his Lordship is one of your Representatives, and I do solemnly affirm, that his Lordship has always in that House strenuously asserted the Rights and Liberties of this City in particular, and of this Kingdom in general, and, I am certain, that there never was one Person, in whom you have intrusted your Liberties in the Quality of your Representative and Mayor, that more deserves your Esteem, and the Continuance of it, than his Lordship.

Gentlemen, His Lordship has now given us his Word, that he will shortly take our Request into Consideration, and no one here present can with Justice, in the least, question the Honour and Veracity of his Lordship. And, Gentlemen, in my Opinion, I see no Difference, if we obtain the End proposed, whether it is done by a Question, at this Time, or through the future Endeavours of his Lordship. His Lordship now plainly sees, that the Subject of the Motion I have made is your Desire, and tho' he cannot grant the

Question, his Lordship is no Enemy to the Thing itself: But suppose, his Lordship should take no Measures towards obtaining our Desire, (tho' I will pawn my Honour his Lordship will, as he has said it) we shall this Time Twelvemonth have an Opportunity of putting the Question. And therefore, Gentlemen, upon the Whole, we may safely at this Time drop the Question, nay, we ought, we are in Duty bound to grant his Lordship's Request, when no great Inconveniency can, by deferring it to his Lordship's Consideration, accrue therefrom.

And now I will make one Observation upon what his Lordship has said. His Lordship thinks this Motion novel, and says it is unprecedented. Suppose so, I believe it is to his Lordship; but because it is novel, does it therefore follow that it is not just, or because it is unprecedented, therefore it is unreasonable or unseasonable? No, tho' it may be unprecedented, it is reasonable; and it is just, tho' new to his Lordship.

Gentlemen, I beg Leave to give you my Reasons why I have made this Motion, and thereby justify my Conduct herein before his Lordship, and you my Fellow Citizen.

The first is, That by the Repeal of the Negative Power of the Court of Aldermen on the Proceedings of your Common Council, may be prevented the Ruin and Destruction of this City; lest when it is too late, we may strive in vain, or the old English Proverb be verified in us, *When the Steed is stol, we shut the Stable Door.*

Another Reason is, Because it renders your Common-Council in a Manner useless. I will give an Instance of it: Upon signing the Convention, your Common-Council voted a Petition to be presented to the Parliament, and another to the King, on the State of the Nation: Which, the Court of Aldermen, by Virtue of the Power lodged in them by an Act of Parliament, put their Negative upon; by which Means those Proceedings of your Common Council, which would have been an Honour to the City, and open'd the Eyes of the People, are thereby lost to the Publick.

My third and last Reason that has induced me to make this Motion, is, That there may arise in this Nation a wicked Ministry, who may corrupt, I do not say now, but in future Time, by Pensions and Places, Fourteen of the Twenty-six Aldermen: I say, when this is the Case, whatever shall be proposed by your Common Council for the Good of this City, and shall happen to be contrary to the Interests of such wicked Ministry, Fourteen of your Aldermen are empowered to put a Negative upon the Proceeding. So that it may come to pass, if this Power be not restrained, that nothing will be transacted in the City, but what must be agreeable to the Court.

These are my Reasons, which I offer to justify

justify myself, and which I submit to the Judgment of his Lordship, and all my Fellow-Citizens.

All which was approved of by the repeated Acclamations of the Citizens. And when Silence was obtain'd, the Common Crier, by Order of the Lord Mayor, dismiss'd the Hall.

Craftsman, Sept. 29. №. 690.

#### A Discourse on INVASIONS.

SIR,

In the Reign of Q. Anne, the Beginning of 1708, there was an Invasion from France, in Favour of the Pretender, and therefore it may not be amiss to look back to that Time, and see what Provision we made to defend ourselves.—We had in England, at that Time, no more than the usual Quota for Guards and Garrisons in Time of Peace, *viz.* about 7000 Men; nor had we more in England during the whole War. Lockhart says, that at that Time we had scarcely 5000 Men; and in Scotland, he says, we had about 2500 Men; but it appear'd afterwards, that there were but 1500.—And yet, neither the Ministry, nor the Parliament, seem to have had the least thought of making any new Levies. There were 12 British Battalions order'd down to Ostend, but were not to embark till they heard that the French Battalions were embark'd; and accordingly they did then embark, and when landed they would have made our regular Forces of England and Scotland amount to 18, or perhaps 19,000 Men at the most. As to Ireland, there were some Regiments in the South, which were order'd to march towards the North, but were not embark'd and transported, nor order'd to be transported. As to the Fleet, we fitted out between 30 and 40 Sail of such Ships as could be got on a sudden, (tho' some make them to have been but 29) and they were put under the Command of Sir George Byng, with Orders to watch and pursue the Enemy; but we did not diminish the Convoy, consisting of 12 Men of War, then provided to sail with the Lisbon Fleet. In the following Session, the House of Commons resolv'd, "that timely and effectual Care was taken to disappoint the Designs of her Majesty's Enemies, &c."

It is very natural to ask, why do we not think ourselves as secure against any such Attempts now, as we were then? If it be answer'd, that the Nation is more disaffected; I say, if by disaffected is meant affected to the Pretender, I sincerely think it is not; and particularly in Respect to Scotland, there is undeniable Reason to think that Part of Britain is much less disaffected now, in that Sense, than it was at the Time of that In-

vasion; for there was then a very great Disposition towards him, and many of the Nobility and Gentry had, by a Paper signed with their Hand-writing, invited him over; and even the Presbyterians (says Lockhart,) were willing to pass over the Objection of his being a Papist, saying, that God may convert him, or he may have Protestant Children.

Let it be observed, by the way, that this national Discontent, and Disposition to revolt, was owing to the Introduction of Custom-house, and Excise Officers into that Kingdom, upon the Union. But if by saying the Nation is disaffected be meant only that they are more discontented, that may be admitted to be true; for if the People should once get a Notion that their Represenative Body was unduly influenc'd by the Multitude of Place-men among them, and if they find the Frequency of Election taken away, or impaired, and made Septennial, instead of Triennial, they may very probably become less contented; for tho' frequent Elections cause Heats and Ferments, yet as without Heat and Ferment the Body politick, as well as the Body natural, would be dead and lifeless, or at

Death's Door, such Ferments don't make them wish to have the Right and Usage of frequent Elections taken away from them. Farther, if the People observe a very large Body of standing Forces kept up in time of full Peace, and very much increas'd upon slight Alarms, they cannot be so well content as when the more natural Defence of a free People, *viz.* their Militia, is more relied on. But if any Disaffection arises from these Causes, it is very easy to put a speedy End to it by such Laws as have been at Times recommended in your Papers, and by such Methods as might save the Nation near a Million per Annum Expence; at the same Time ease them of all Fear; secure their Trade, and their Honour; and enable them to give Terror to, and receive Submission from their injurious Neighbours, instead of being distressed by them.

But since so much hath of late enter'd into some People's Fancies, concerning Invasions, I will add a few Words of Comfort to my Countrymen on this Occasion. I desire them to consider, that in England alone, at the lowest Computation, we are a People consisting of seven Millions of Souls; and that the Proportion the fighting Men, (that is, the Males from 18 to 56) bear to the whole Body is above a fourth Part. Hence in England alone, without reckoning Scotland and Ireland, we are, as I may say, 1,750,000 fighting Men, or Men that could fight, and would on a proper Occasion, if we did but shew them a little how to handle a Musket; so that if all the Forces, which France and Spain could possibly transport, at one Time, if unmolested, in all the Ships both Kingdoms have, together with their Fishing-Boats, were landed, any where in this Kingdom, they would be shot to Death in 48 Hours

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Hours from the Time of Landing, by the powerful superior Number of Hands within 30 Miles round the Place, if we would but moderately train the *Militia*, and let every one know his Regiment and his Officer, and where to repair. But if we are resolv'd not to make use of such ready Help, but solely depend on our *regular Forces*, it might be some Months before a Body equal to the Number of the Enemy could be brought from the distant Parts of the Kingdom. In the mean Time, we must endure the Enemy's Ravage, and when our Forces were come, supposing the common Soldiers did not desert in their March, to skulk and lie hid with their Trulls in safe Places, we might yet be in Danger of their deserting to the *Invader* for the Sake of the high Premiums, that would probably be offer'd, and thus encrease the invading Force, and leave us helpless in the most critical Minute. Surely our Liberties, Estates, and Religion are worth securing by such Methods as are the most speedy and *infallible*. Is it not a strange Thing, that the most populous Nation that is, or ever was on the Earth, of so large an Extent, and a People not unwarlike, and environ'd by the Sea, should confess either by Words, or by their Conduct, that they are under any the least Dread of an *Invasion*; and all for Want of a *train'd Militia*? Must it not, when that is the Case, be Matter of high Laughter for those, who find they can make such Sport with us? But we hope, from the Spirit of a *free British Parliament*, to convince our Enemies, and the whole World, that *Britain* hath still

this prerogative,  
That none can at our happy coast arrive;  
While we defend at pleasure to invade  
The bad with vengeance, and the good with aid.

WALLER.

**T**HE *Gazetteer* of Oct. 5. in Answer to the above Paper, remarks, That from the earliest Intelligence we had of the *Invasion* in Q. Anne's Reign, to the entire Disappointment thereof, and the Return of the *French* Squadron into the Road of *Dunkirk*, it was not above a Month. Now, in this Time (says he) I would be glad to know, how many Thousand Men could be rais'd? What Troops could be brought from *Ireland*? Or how any large Sum could be spent? And yet, he remarks in the second Place, the Parliament, the Queen's Ministry, and her Allies, did all that they possibly could. And supposing our Armament both by Land and Sea in 1707-8 (says the *Gazetteer* of the 4th) did not exceed Mr. D'Anvers's Account of it, I G don't think but every unbias'd Man, who looks into the present State of Affairs at home and abroad, will imagine it to equal, at least, that which we now see order'd by Authority.

In 1707, most of the Powers of Europe were

confederated and in actual War against *France*, which was at that Time reduced to so great Extremity by the Success of their United Force, that she had scarce any other Game left but drawing off our Attention and Troops from *Flanders*, where she most sensibly felt the Effects of our Power.

A This was the genuine and only View of *France* in that Undertaking. Our Ministers at that Time were sensible of her Drift; they knew her Design was to defeat the Schemes of the *Allies*, or at least to delay the Operations of the ensuing Campaign; but yet they took such Precautions, as would render the Designs of *France* abortive, even were they really intended against these Kingdoms directly, as they had Reasons for believing that they were not.

B C But will any Man say, that Things are now in the like Situation, or that our present Preparations should not exceed those in 1707? At that Time we had most of the Powers of *Europe* obliged to us by defensive as well as offensive Alliances; we had an Army of 20,000 Natives and above 30,000 Foreigners in our Pay within Call; we could have no Dread of the Power of *Spain*, in the Bowels of which we had two different Corps of Troops; and *Charles XII*'s Enmity to *Peter I*. and *Augustus I*. left us no Room to apprehend any Danger from the North.

D But, says the painted *Dow*, " We have 1,750,000 Men in Great Britain capable of bearing Arms, and why might not they be rely'd upon to secure us against all Invasions?" In answer to this shrewd Querist, I would ask him, Where were his Millions when this Kingdom was severally invaded by the *Saxons*, the *Danes*, and *Normans*; and before them, by *Julius Cæsar*? What Stand did his favourite *Militia* make against *Mackintosh* and three or four hundred *Highlanders* in 1715? What Stand do above 100,000 able-bodied *Corsicans* make against a Handful of *French*? Or, what Prowess did *Peter I*'s Millions of *Russians* shew against a Handful of *Swedes*, before they taught him and his Subjects the Art of War, by a continued Waste of their Country?

Common Sense, Oct. 6. N° 140.

E F M R. Common Sense having, in his last, given some Account of the Government of *Holland*, from a Writer (as he says) of very good Authority, proceeds, in this, to make several Observations upon it; some of which are as follows:

G " The People (says my Author) are wholly excluded from all Share in the Legislature by an Edict made about 150 Years ago, when all popular Factions ceased, and, with them, the very Shadow of a Commonwealth; so that, when a Senator dies, the rest of the Body fill up the Vacancy."

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Thus it appears, when the People once part with the Power of electing and changing their own Magistrates and Law-givers, there is an End of Liberty. These Things, which he calls popular Factions, were only the Contentions betwixt the People of every Town when they came to a new Election of Magistrates, little Heats and Animosities which soon subside, Contentions which have been in all the popular Governments which ever were in the World, and which never endanger'd the publick Liberties; and when they ended in *Holland*, my Author observes, there was not so much as a Shadow of a free Government left.

Sir William Temple tells us, that the Populace, or Freeholders, have no Share at all in the Government of *Holland*.

This is certainly for the Reason before-named, their parting with the Power of electing Magistrates. A perpetual Parliament would bring our Free-holders into the same Condition, and, indeed, a very long Parliament takes a great deal from them. It is too great a Power to be long confided to the same Persons; they may be apt to forget the Interest of their Countrymen, to close with that of a Minister.—I should not wonder, in such a Case, if they should turn out some who were elected the fairest by the Free-holders, and put in Persons devoted to the Minister:—I should not wonder to see a Minister dictating to such a Parliament; or, if he should be seen to overlook an Assembly of which he had not the Honour to be a Member, to awe and controul their Debates by his Presence; to see him send a Whisper to this or that Man, when he did not like what was doing; and to see those People change the Shape and Purport of their Discourse at the Word of Command:—I should not be surprized at it, for, no Doubt, the whole Busines of Parliament would become a mere Farce, and would, in Effect, be no more than a Method of putting in Execution the Will and Pleasure of a Minister.

"Their Balance of Power (says my Author) is the most unequal of any in Europe, for the little Town of *Permeren* has an equal Vote with *Amsterdam*; so has the little Province of *Over-Yssel*, with that of *Holland*."

Foreigners have made the same Objection to our Constitution. *Old Sarum*, which does not deserve the Name even of a Village, consisting only of 5 or 6 miserable Cottages, is of half the Consequence with the City of *London* in the Legislature. The whole County of *Middlesex*, including *London* and *Westminster*, has no more than 8 Voices in the Legislature; the County of *Cornwall*, which has not the 20th Part of its Inhabitants, nor the 100th Part of its Wealth, has upwards of forty; which makes Foreigners say, that, when we talk that our Legislators are the true Repre-

sentatives of the People, it is an idle Boast, for that they are, in Effect, the Representatives of certain Places.

A It was the Design of our Ancestors, that Parliaments should be the true Representatives of the People; and when those Places in *Cornwall* were erected into Boroughs, *Cornwall* was vastly populous, and *Middlesex* very inconsiderable, in respect to what they are To-Day. We see by our old Books, that Towns, as they prosper'd and increas'd in Inhabitants, were allow'd to send Members to Parliament; and others, as they decay'd, were cut off from that Privilege; or, to speak properly, the Election of Members to serve in Parliament follow'd the People wherever they moved; B and, was the same Order observ'd To-Day, *Middlesex* would send the 44 Members, and *Cornwall* not 8.

"Their Pensioner, an Office of great Authority, should be changed, by the original Compact, every five Years; but this they have sometimes violated."

C Macbiavel says, that the prolonging of Magistracies in Free States is always attended with the Loss of Liberty. The Office of *Dicator*, in the *Roman Republick*, was a wise Institution, and often saved the Commonwealth; and the Commonwealth was afterward's destroy'd by prolonging this Office to one Man. I will say nothing of stale, or long Parliaments; we have had the Experience of them, and, I believe, all D Men think alike of them; but I am afraid that even the long Continuation of the same Ministry can be of no great Advantage to the Liberties of *England*.

E "When any restive City, or Province, stands out, it is not unusual to awe them into a Compliance, by quartering Troops in their Country, which they have an Opportunity of doing, their Situation putting them under a Necessity of keeping up a constant Standing Army."

F Providence hath given us a signal Advantage over them in this Respect: By encompassing us with the Ocean, we have a better Security against Foreign Enemies, than an armed Host of mercenary Troops:—So that if ever a Standing Army should be fix'd upon this Nation, those who would persuade the People that they are intended against Foreign Enemies, must not expect that any Body will believe them.

G As to Mobs, or popular Tumults, which keep the States General a little in Awe, there, indeed, our Ministers have an Advantage over them, being, by the Riot Act, secured against any Dangers which may threaten their Persons from popular Tumults.

The Craftsman of the 6th has some farther Observations on the Spanish Manifesto; but as some other important Affairs have taken up so much

of our Room this Month, our Readers will be satisfy'd with what has been already said on that Subject, from that Paper, in our last. p. 456.

Craftsman, Oct. 13. N° 692.

*Observations on the late Election of a LORD MAYOR; Ways and Means for supporting a WAR, &c.*

**T**HE City of London is so commodiously situated for Trade, and hath long carried it on to so considerable an Height, that it hath always been look'd upon, not only as the *Metropolis*, but the very *Heart* of the Kingdom, from whence the *Blood* circulates thro' all Parts of the *Body-politick*; and therefore it would be as ridiculous for the Generality of the Nation not to concur with the City of London, in all essential Points of *Trade*, as it was for the *Limbs*, in the Fable, to complain of the *Belly's* receiving all the Food and Nourishment;—and as the late Opposition in the City was not stir'd up by any clandestine Means, but visibly arose from the general Sense of the *Mercants*, upon the present unhappy State of Affairs, I make no Doubt that I shall soon have an Opportunity of congratulating them upon seeing every trading Town in England co-operate with them, and emulate their glorious Spirit.

The provoking, cruel, and inhuman Usage of our *Mercants* and *Seamen* abroad, as well as their repeated and fruitless Applications at home, are too well known, and have been fully expos'd in several *Pamphlets*. And when the *Mercants* found themselves in this unhappy Condition, after so many Injuries and Disappointments, what farther Course had they to take? Ought they really to dispose of their *Effects*, sell their *Ships*, part with their *Plantations*, and fly to some other Country for Protection, (as they declar'd in *Parliament*) if they could not find it here? No; *omnia prius tentanda*, as our ministerial *Writers* have observ'd with much less Reason, in Favour of the most ignominious *Peace*, preferable to a glorious and honourable *War*.

Our *Mercants* therefore had no other Remedy left, without intirely giving up all their Rights and Interests, than by trying their own *Strength*, when they found all Hopes of Relief from other *Hands* defeated, and even render'd the Subject of Ridicule.

For this Reason, it was very wisely and honestly resolv'd to fix a lasting Brand of Infamy upon one Person of their own Body, who, in Defiance of their known and declar'd Sense of the late fatal *Convention*, gave his Vote for it, and thereby did all in his Power to cram it down the Throats of the Nation; not without very strong Suspicions (if we may give Credit to general Report) that he was influenc'd by the most scandalous Mo-

tives, from which he hath never yet thought fit to purge himself. But altho' this very Imputation recommended him to the Favour of all the Tools of Power, he was almost unanimously rejected by the worthy *Liverymen*, with as much Spirit and Vigour, as the strictest REGARD to Order and Decency would permit.

This Instance of *Patriotism* (which amounts to a Demonstration that there is really such a Thing still left) was immediately followed by another, equally meritorious; for when this obnoxious *Man* was set aside, a Motion was made by an eminent *Merchant*, and seconded by loud Acclamations from the *Liverymen*, for returning Thanks to their four worthy Representatives, &c. (See Mr. *Glover's* Speech, and the Paper deliver'd by him, p. 500.)

But this Affair did not drop here; for a worthy *Alderman* made another Motion for instructing their present *Members* to obtain a Repeal of that Part of an *Act*, commonly call'd the *City-Act*, which gives the *Court of Aldermen* a Negative, and for restoring the *Court of Common Council* to their antient Right. This Motion from an *Alderman*, against the new Power of the *Court of Aldermen*, is an Instance of uncommon Impartiality, and must certainly be very acceptable to the *Common-Council* and honest *Liverymen* of London. (See the Speeches and Motion, p. 501, 503, 504.)

These Instances, which the Citizens of London have given, of their Resentment against one *Man*, whose Conduct they had just Reason to disapprove, a due Regard to their own *Rights*, and a very seasonable Testimony of their dutiful Attachment to the true Interests of the present Royal Family, are sufficient Proofs that the antient Spirit of this great *Metropolis* is not yet lost, notwithstanding the indefatigable Endeavours of some Men, and the base Prostitution of others.

**E**I shall now make a few general Remarks upon the *Convention*, which was the principal Motive to the late *Secession*, and the present Proceedings in the *City*.

Tho' this *Treaty*, or *Piece of a Treaty*, is now dissolv'd on both Sides, and we have been put to a vast Expence in Preparations for carrying on a vigorous *War*; yet the *British Fleet* hath been yet employ'd to no other Purpose than in playing the little Part of *Privateering*; and the Season of the Year is now so far advanc'd, that we cannot well expect any Action of Consequence till the Spring. It may, perhaps, be the Design of some Persons, after all this Parade, to procure another *anniversary Convention*, or something like it under a different Name, either by their own wise Negotiation, or the friendly Mediation of the present great *Arbiter of Europe*. But we have lately seen so many glaring Instances of the Effects of *French Mediation*, that it will hardly be relish'd, however disguis'd, by any true Englishman;

*Human*; and since we are now sufficiently provided for any Undertaking on our Part, or any Attack against us, either by *Sea* or *Land*, it seems to be generally expected that such a prodigious Expence should not be intirely thrown away, without endeavouring to do ourselves Justice by *Force of Arms*, against our *barbarous and insolent Enemies*.

If we have no *Allies* to assist us in the present Undertaking, (as a certain Hon. Gentleman was lately pleas'd to assure us) yet it may be some Advantage to us, if we exert ourselves as we ought, that neither have we any *Allies* to check us in the Course of a *War*. We may pursue our Designs wherever our *Interest*, or *just Resentment* shall direct us. There is a Part of the World, where *Spain* is particularly vulnerable, and we may be too hard for them, with all their *Allies*.—But it is not the *Buſineſſ* of a poor *Journaliſt* to offer *Schemes*, or *Plans of Operation*, tho' often call'd upon to do it by thofe, who would charge me with the highest Degree of *Insolence*, if I should accept their Challenges, and presume to advise such consummate Politicians as their *Patrons*. I do not pretend, as Mr. *Freeman* modestly suggests, to be in the *Secrets of Cabinets*; and solemnly declare, that I never look'd over either *Don Benjamin*, *Don Horatio*, or *Don Roberto's Shoulders*, whilst they were concerting their *Schemes*, or drawing up their *Dispatches*. I will sum up my Defence against this Charge in a few Words: I never was at the renown'd Port of *Lynn* in my Life, and therefore cannot be suppos'd to have any Knowledge of the Views and Interests of *foreign Courts*. But, I will oblige these importunate Gentlemen so far, as to throw in my poor Mite of Advice towards *Ways and Means*, for supporting the *Expences of a War*.

The first is so obvious to every Body, in our present Circumstances, that it may seem almost impertinent to mention it; for as the *Country Gentlemen*, *Farmers*, *Traders*, *Manufacturers*, and *poor Labourers*, have been grievously loaded with Taxes, during a long Course of *Peace*, it cannot be doubted that a large Contribution will be chearfully granted out of the *Civil Lift*, towards the *Expences of a War*. This was the Case of the late K. *William* and Q. *Anne*; the former of whom had Part of his settled *Revenue* taken away by *Parliament*, when the *Exigencies of the Nation* requir'd it; and the latter voluntarily gave 100,000*l.* a Year upon the same Occasion, as it is recorded for her immortal Honour, to all succeeding Generations, by a \* *Person of the biggest Rank*, whose Testimony cannot be disputed.

This will naturally pave the Way to another Resource; for thofe Persons, who have grown rich by *Employments*, whilst others have been

exhausted by *Taxes*, will certainly be ashamed not to follow the *Royal Example*, of their own Accord, in Ease of their *Fellow-Subjects*; or they may be easily compell'd to do it. If we may give Credit to some late *Lifts*, above 400,000*l.* a Year is visibly distributed amongst two Kinds of *Place-Men* only, besides other private *Gratuities*.

A Half of this Money, at least, might be easily sav'd, and ought to be sav'd, in Times of Distress. Some of these Gentlemen have amass'd immense Estates from very low Beginnings; and therefore they cannot decently refuse to serve their Country, at such a Time, without any Profit, or at least a very moderate one. There are besides a Multitude of unnecessary Places, which ought to be entirely abolish'd, and the Salaries of others considerably reduc'd.

Another considerable Aid, towards the Support of a *War*, might be rais'd by the long desir'd Tax upon *Luxury*; for it is a Scandal to any free Government, that whilst the poorer Sort of the People are oblig'd to pay heavy Duties for all the *Necessaries and Conveniences of Life*, the Rich should not pay in Proportion for indulging themselves in *Pride, Vanity, and Riot*. This would either raise a very great Sum, or reduce that destructive Vice, which would be equally advantageous to the Nation.

But I must desire to have it observ'd, that I propose this Tax upon *Luxury* to be only annual, and not funded out, like most other Taxes, which might destroy the very Intent of it, by applying it to bad Purposes; or, if it should be thought proper to continue it, after the *War*, let it be given in Lieu of other Taxes, for the Relief of the Poor.

These, in my poor Opinion, will be the most effectual Means to support a vigorous War against our *Enemies abroad*, and to unite us at home, in the common Cause of our Country.

E The Common Hall of the *Liverymen of London* justify'd, in the late Instructions given to their Representatives, &c. both from Reason and Precedents.

F THE Reasonableness of this Proceeding will chiefly appear, when we consider with how much greater Propriety the Right of instructing the Representatives can be made use of in the Common-Hall, than in any other City-Assembly. For the Common-Hall consists of the Body of Electors, who make the Representatives; whereas the other City-Assembly, the Common-Council, are neither chosen by the Livery, nor are obliged to be Liverymen themselves; and therefore they could not with Decency intermeddle in an Affair of this Nature. If then the Common-Hall has no Right to deliver Instructions to

\* See the Dutchess Dowager of Marlborough's Inscription upon Queen Anne's Statue, erected at Blenheim, (Of which our Readers may see a Copy, in our Magazine, Vol VI. p. 343.)

to its Representatives, no other City-Assembly can pretend to it. And thus this illustrious Metropolis would be degraded from that common Privilege enjoyed by so many Thousands of the meanest of his Majesty's Subjects, and which has been so frequently asserted by the most inconsiderable Corporations in the Kingdom.

And now as to Precedents, of which there are several; but we shall only mention the following.

In the State Tracts, published (as is asserted in the Title-page) to shew the Necessity, and clear the Legality of the late Revolution, there occurs (p. 131, 132.) the following Narration:

**O**N the fourth of February 1680-1, the City of London, assembled in Common-Hall, consisting of several thousand Liverymen, having, by an unanimous Voice, elected their old Representatives, returned them their Thanks in a Paper there publickly read and approved of with a general Consent.

To the Honour'd Sir Robert Clayton, Knt. Thomas Pilkington, Alderman, Sir Thomas Player, Kt. and William Love, Esq; late (and now chosen) Members of Parliament for this honourable City of London.

**W**E the Citizens of this City in Common Hall assembled, having experienced the great and manifold Services of you our Representatiyes in the two last Parliaments, by your faithful and unwearied Endeavours to search into and discover the Depth of the horrid and hellish Popish Plots; to preserve his Majesty's Royal Person, the Protestant Religion, and the well-established Government of this Realm; to secure the Meeting and Sitting of frequent Parliaments; to assert our undoubted Rights of Petitioning, and to punish such who would have betrayed those Rights; to promote the happy and long-wish'd for Union amongst all his Majesty's Protestant Subjects; to repeal the 35th of Elizabeth, and the Corporation-Act; and especially for what Progress hath been made towards the Exclusion of all Popish Successors, and particularly James Duke of York, whom the Commons of England, in the two last Parliaments, have declared, and we are greatly sensible is the principal Cause of all the Ruin and Misery impending on these Kingdoms in general, and this City in particular: For all which, and other your constant and faithful Management of our Affairs in Parliament, we offer and return to you our most hearty Thanks, being confidently assured, that you will not consent to the granting any Money-Supply, until you have effectually secur'd us against Popery and arbitrary Power; resolving, (by Divine Assistance) in Pursuance of the same Ends, to stand by you with our Lives and Fortunes.

And likewise there was offered another Paper, directed to the Sheriffs, purporting their Thanks to the several noble Peers for their late Petition and Advice to his Majesty; which was as follows.

A To the Worshipful Slingsby Bethel, and Henry Cornish, Esqrs. Sheriffs of the City of London and Westminster.

**W**E the Citizens of the said City in Common Hall assembled, having read and diligently perused the late Petition and Advice of several noble Peers of this Realm to his Majesty, whose Counsels we humbly conceive are (in this unhappy Juncture) highly seasonable and greatly tending to the Safety of these Kingdoms; we do therefore make it our earnest Request, that you (in the Name of this Common Hall,) will return to the Right Honourable the Earl of Essex, and (by him) to the rest of those noble Peers, the grateful Acknowledgment of this Assembly.

Which being read and approved of by a general Acclamation, the Sheriffs promised to give their Lordships the Thanks of the Common Hall, in Pursuance of their Request.

We will only produce one more Precedent, which is, indeed, a decisive one, and in which it will appear, that the Common Hall have not always confined themselves to the instructing their own Representatives, or addressing their own Magistrates, but that they have sometimes interceded with the Legislature for the procuring of new Laws of the most extensive and interesting Nature.

The Fact occurs in the Journal of the House of Commons, in 1689, and is as follows:

**E**The Citizens of London, in Common Hall assembled, for the Election of Sheriffs, did, at the same Time, agree to a Petition to the House of Commons, and ordered their Sheriffs and the Common Serjeant to present it.

This Petition set forth in Substance, That the Body Representative of the City of London, in the Common Hall assembled, could not but, with all Thankfulness, acknowledge the infinite Mercies of Almighty God, the heroic Courage and excellent Conduct of his then Majesty, and the Wisdom and Counsel of their Honours, whereby the Rights and Liberties of the Petitioners, and the very Being of Justice and Peace had been so wonderfully preserved; but they expres'd that apprehensions of the Dangers impending over the English Church and State, from the Endeavours of the Papists to animate the various Denominations of Protestants against each other, thereby making them to promote their own Destruction. They then pray'd that the antient Privilege of the City to chuse its Magistrates might be secured from all future Doubts, and that for this Purpose,

the Bill for restoring Corporations to their Rights might be perfected; and as the Conspiracies of the Papists, and the threatened Invasion from France, did render the united Force of all the Protestants apparently necessary, they did therefore farther pray, That our most gracious King may be freed from the Restraints of using his Protestant Subjects indiscriminately in his military or civil Services, according to their several Qualities and Abilities, wherewith God Almighty, Nature, Education, and Experience, had endowed them.

This Petition, pursuant to the Order of the Common Hall, was, next Day, June 25, presented to the House by the two Sheriffs, and the Common Serjeant; but as it was not signed by any Person, it was returned to them again; upon which they withdrew and signed it themselves in the following Manner:

WE the Sheriffs of the City of London, and County of Middlesex, with the Common Serjeant, were Yesterday ordered by the Citizens of London, in Common Hall assembled, to present to the honourable House of Commons this Petition, June 25, 1689.

Humphry Edwin.

Henry Cripe.

John Fleet.

The Petition thus signed being re-delivered at the Bar of the House, by Mr. Common Serjeant, a Debate arose, whether the Petition should be read as thus signed; and the Question being put, it passed in the Affirmative, Yea's 174, No's 147.

And from hence it appears, not only that the Common Hall, when assembled for the Election of Magistrates, have done other Acts no Ways connected with that Election (contrary to what has lately been so confidently asserted); but also, that in the Opinion of the House of Commons, they have a Right so to do. It also follows from hence, that the Common Hall, like a Corporation, has a Right of Petitioning, and ordering that Petition to be delivered by proper Officers, on whose Attestation only, without being signed by Particulars, the Petition is to be considered as the Act of the whole Body.

COMMON Sense of the 13th and 20th F opposes a Doctrine, which he says has been vigorously press'd of late, viz. That Parliaments, once elected, are not accountable to those that chose them. This Doctrine, he says, is as old as the Rump Parliament, and he shews the Absurdity of it by Extracts from some bold Pamphlets, published in those Times.

The Craftsman of the 20th shews how difficult it is for Princes to be rightly inform'd of the true State of their Subjects, &c.— But we are oblig'd, at this Time, to break off the Essays, to make Room for what follows, viz.

*His MAJESTY's Declaration of War against the King of Spain.*

GEORGE R.

WHEREAS many unjust Seizures have been made, and Depredations carried on, for several Years, in the West-Indies, by Spanish Guards Costa's, and other Ships, acting under the Commission of the King of Spain, or his Governors, contrary to the Treaties subsisting between us and the Crown of Spain, and to the Law of Nations, to the great Prejudice of the lawful Trade, and Commerce of our Subjects; and great Cruelties and Barbarities have been exercised B on the Persons of divers of our Subjects, whose Vessels have been so seized; and the British Colours have been insulted in the most ignominious Manner; and whereas we have caused frequent Complaints to be made to the King of Spain of these violent, and unjust Proceedings, but no Satisfaction or Redress has been given for the same, notwithstanding the many Promises made, and Cedula's issued, signed by the said King, or by his Order, for that Purpose; and whereas the Evils above-mentioned have been principally occasioned by an unwarrantable Claim, and Pretension, set up, on the Part of Spain, that the Guarda Costa's, and other Ships, authorized by the King of Spain, may stop, detain, and search the Ships and Vessels of our Subjects navigating in the American Seas, contrary to D the Liberty of Navigation, to which our Subjects have not only an equal Right with those of the King of Spain, by the Law of Nations, but which is moreover expressly acknowledged and declared to belong to them by the most solemn Treaties, and particularly by that concluded in the Year 1670; and whereas the said groundless Claim and Pretension, and the unjust Practice of Stopping, Detaining, and Searching Ships and Vessels, navigating in the Seas of America, is not only of the most dangerous and destructive Consequence to the lawful Commerce of our Subjects, but also tends to interrupt and obstruct the free Intercourse, and Correspondence between our Dominions in Europe, and our Colonies and Plantations in America, and by Means thereof, to deprive us, and our Subjects, of the Benefit of those Colonies and Plantations; a Consideration of the highest Importance to us, and our Kingdoms; and a Practice, which must affect, in its Consequence, all other Princes and States of Europe, possessed of Settlements in the West-Indies, or whose Subjects carry on any Trade thither; and whereas besides the notorious Grounds of Complaint above-mentioned, many other Infractions have been made on the Part of Spain, of the several Treaties and Conventions subsisting between us, and that Crown,

512 His Majesty's Declaration of War against the K. of Spain.

and particularly of that concluded in the Year 1667, as well by the exorbitant Duties and Impositions laid upon the Trade and Commerce of our Subjects, as by the Breach of ancient and established Privileges, stipulated for them by the said Treaties; for the Redress of which Grievances, the strongest Instances have been, from Time to Time, made by our several Ministers residing in Spain, without any Effect; and whereas a Convention, for making Reparation to our Subjects for the Losses sustained by them, on account of the unjust Seizures and Depredations committed by the Spaniards in America, and in order to prevent for the future all the Grievances and Causes of Complaint therein taken notice of, and to remove absolutely, and for ever, every Thing which might give Occasion thereto, was concluded between us, and the King of Spain, on the 14th Day of January last, N. S. by which Convention it was stipulated, That a certain Sum of Money should be paid at London, within a Term therein specified, as a Balance admitted to be due, on the Part of Spain, to the Crown and Subjects of Great Britain, which Term expired on the 25th Day of May last, and the Payment of the said Sum was not made, according to the Stipulation for that Purpose; by which Means the Convention above-mentioned was manifestly violated and broken by the King of Spain, and our Subjects remained without any Satisfaction or Reparation for the many grievous Losses sustained by them; and the Methods, agreed upon by the said Convention, in order to the Obtaining future Security for the Trade and Navigation of our Subjects, are, contrary to good Faith, frustrated and defeated: In Consequence of which, we found ourselves obliged, for vindicating the Honour of our Crown, and for procuring Reparation and Satisfaction for our injured Subjects, to order, That general Reprisals should be granted against the said King of Spain, his Vassals and Subjects, and their Ships, Goods, and Effects: And whereas the Court of Spain has been induced to colour the open Violation of the Convention aforesaid, by Reasons and Pretences, which are void of all Foundation: And, at the same Time, has not only publish'd an Order, sign'd by the said King, for seizing the Ships, Goods, and Effects belonging to us and our Subjects, where-ever they shall be met with, but has caused Seizures to be actually made of the Goods and Effects of our Subjects, residing in his Dominions, and has also ordered our said Subjects to depart out of the Spanish Dominions, within a short limited Time, contrary to the express Stipulations of the Treaties between the two Crowns, even in Case of a War actually declared: We have taken into our Royal and most serious Consideration these Injuries, which have been of-

fered to us and our Subjects, and the manifest Violation of the several Treaties subsisting between the two Crowns; all which have been, in many Particulars, eluded, or evaded, by the unwarrantable Behaviour of the Court of Spain, and their Officers, notwithstanding the repeated Instances we have given of our Desire to cultivate a good Understanding with the King of Spain, and the essential Proofs of our Friendship and Regard for him and his Family, which we have demonstrated to all the World: And being fully satisfied, that the Honour of our Crown, the Interest of our Subjects, and that Regard, which ought to be had to the most solemn Treaties, call upon us to make use of the Power, which God has given us, for vindicating our undoubted Rights, and securing to our loving Subjects the Privileges of Navigation and Commerce to which they are justly entitled: We, therefore, relying on the Help of Almighty God, who knows the Uprightness of our Intentions, have thought fit to declare, and do hereby declare War against the said King of Spain; and we will, in pursuance of such Declaration, vigorously prosecute the said War, being assured of the ready Concurrence and Assistance of all our loving Subjects in so just a Cause, wherein the Honour of our Crown, the Maintenance of our solemn Treaties, and the Trade and Navigation of our Subjects, (which are so essential to the Welfare and Prosperity of this Nation, and which we are determin'd, at all Times, with our utmost Power to preserve and support) are so greatly concerned: And we do hereby will, and require, our Generals and Commanders of our Forces, our Commissioners for executing the Office of High Admiral of Great Britain, our Lieutenants of our several Counties, Governors of our Forts and Garrisons, and all other Officers, and Soldiers under them, by Sea and Land, to do and execute all Acts of Hostility in the Prosecution of this War against the said King of Spain, his Vassals, and Subjects, and to oppose their Attempts: And we do hereby command as well our own Subjects, as advertise all other Persons of what Nation soever, not to transport, or carry any Soldiers, Arms, Powder, Ammunition, or other contraband Goods, to any of the Territories, Lands, Plantations, or Countries of the said King of Spain; declaring, that whatsoever Ship or Vessel shall be met withal, transporting, or carrying any Soldiers, Arms, Powder, Ammunition, or other contraband Goods, to any of the Territories, Lands, Plantations, or Countries of the said King of Spain, the same, being taken, shall be condemned as good and lawful Prize. Given at our Court at Kenfigton the nineteenth Day of October, 1739, in the thirteenth Year of our Reign.

GOD save the KING.

The SESSION of the GODS. To J. H. Esq;  
On Occasion of his Marriage.

DAME Venus one day on the top of Par-

nassus,

Encompas'd around with a bevy of lasses,  
Was playing at putt for a mug of brown nectar,  
When Cupid burst in with this sorrowful lecture:  
O dearest mamma! thou goddess of beauty!  
Of whom, as I think myself bounden in duty,  
I first crave a blessing like other good christians;  
I come to desire your help and assistance:  
There's a wench upon earth—you have seen

her—'tis Cloe,

So like you, asunder no mortal can know ye;  
The distinction's this only—for I'll tell it, O  
goddess, t'ye, [modesty:  
She has a little more sense, and a little more  
This Cloe has gain'd over men such a power,  
She wounds more in a minute than I in an  
hour;

My arrows I spend without pleasure or profit,  
And my business—ah! nought but a jail can  
come of it.

Whene'er I attack her she puts by my dart,  
And laughs at my trouble, and despises my art,  
Or the best of my arrows unable to wound,  
Either headless, or blunted, fall all to the ground.  
What in heading, and sharpening, and pointing,  
and mending, [ending,  
And feathers, and glue, and so on without  
It will cost me, old Mulciber knows by his bill,  
Above ten times the value I've got by my skill:  
So oft I've attempted to hasten her doom,  
But still all my projects have vanish'd in fume:  
So unless your assistance her power repels,  
I must over to France, or be laid by the heels.  
Say then in a word all her wiles how to parry  
here, [your farrier;

And I'll wound you a youth that shall cuckold  
As stout, and as strait, and as soft as Adonis,  
Such a spark can't be purchas'd for love or for  
monies.

Venus 'gan for to chuckle at the little god's of-  
fer, [could profier)

(For it tickled her fancy more than all he  
And now stir'd her stumps 'gainst the nymph,  
and to spite her,

Next session in heaven resolv'd to indite her.  
Next session now comes, and miss Cloe appears,  
And all the immortals were soon by the ears:  
Such a hum, such a buzz, such a roar, such  
applause, [cause:

All at first were determin'd to give her the  
But her beauty at last, to her great disappoint-  
ment, [ment.

Prov'd her plainly too guilty of predict indite—  
Her defence was but short—that her crime was  
not heinous,—

That she never intended to hurt madam Venus.—  
And for Cupid, she never had heard that that  
god,

Had ever debarr'd her from going abroad:

Cou'd her beauty be such as to spoil all his pre-  
fit!

Strange! the alone should not be sensible of it,  
If the men would gaze on her, and chanc'd to  
be caught, [her fau't;  
The men were to blame for't, 'twas none of  
Or rather the gods were themselves in the plot,  
They gave her her beauty, she alter'd it not:  
No cosmeticks she us'd, no arts to be lov'd;  
From good-nature and virtue if her looks were  
improv'd,

She hop'd they'd consider her youth, and in  
short [court.

She threw her cause into the hands of the  
Jove licking his lips at the sight of the dame,  
Whose beauty already his heart did enflame,  
Was resolv'd for a sketch of his deep politicks,  
And scratching his head, thus begins his old  
tricks.

That Cloe is guilty no god can deny,  
It appears in her voice, it appears in her eye,  
Have regard to mankind, she'll destroy the  
whole race, [face.

For death and destruction threat sure in her  
Let her live an old maid, and be sent to the  
woods,

To languish and pine to the meadows and floodes  
Far, far from the world in a poor country cot,  
Let her chaunt out her woe to the ravens

hoarse note,  
Nor ever the generous Britons enslave: [brave.  
These are the soft tyrants that conquer the  
As for me I advise—You advise us, quoth Juno,  
Without your girl, Pallas here, both I and you  
know,

Your sage admonitions will do no great wonders,  
'Tis enough if you manage your lightnings and  
thunders.

Hear me and leave piddling your hat like a fool,  
You advise us!—god help you!—a pitiful tool!  
Go advise your own sex in the world there be-  
low ye,

And do not stand ogling and staring at Cloe.  
She die an old maid, and be sent to the woods,  
To languish and pine to the meadows and floodes:  
One would laugh to consider your shallow con-  
ceit,—

Brithee, Jupiter, never set up for a wit!  
In the country you'd quickly begin your old  
gambols, [rambles.

And I should be plagu'd every day with your  
Remember your Io, remember your Leda,  
And think what a tempest those frolics did  
breed-a.

Shall Cupid, a whiffling, pert, impudent rascal,  
Be for ever indulg'd in whate'er he can ask all?  
Shall heav'n be always for him made a jest?  
And shall Jove again take on the shape of a  
beast?

This world must come to a very fine pass,  
When its ruler appears like an owl or an ass.  
But what will become of poor Juno Lucina,  
When the ladies shall want no assistance of  
mine-a?

For without *Hymen's* blessing, my favours  
they doubt, [out,  
And so softly they squeal, so demurely cry  
There's no mortal can guess what it is }  
they're about.

*Jove* drew in his horns, and *Apollo* begun :  
*Jove's* designs, madam *Juno!* are clear as the  
fun : [been rated,

One would think the poor devil had so often  
That his fooleries would with his years have  
abated.

But my oracle's true, tho' old he is grown,  
Ne'er will out of the flesh, what was bred in  
the bone : [maid,

For your own fake miss *Cloe* must not die a  
For then you'd lose part of your midwifry trade.  
We too must please *Cupid*, or else, by St. *Paul*,  
The rascal will make bulls and bears of us all.  
When *Daphne* o'er hills and thro' valleys did fly,  
Sure never was god so tormented as I. [odds,  
Let's endeavour to compromise matters, 'tis  
But we marry her so as to please all the gods.  
Some tawdry *French* coxcomb that can take  
snuff and prate,

Or a fool born in *Britain* to a handsome estate ;  
Some title, his worship, his lordship, his grace,  
Some pedant, or officer shining in lace.—  
*Mars* frown'd—star'd him full in the face—  
cock'd his hat— [that.

I'll remember you, good master *Phæbus!* for  
Is not beauty with courage most nobly rewarded,  
And virtue by generous valour best guarded ?  
But for marriage, ne'er fancy that men of true  
bravery

Will ever submit to a petticoat slavery. [ye,  
I am sorry, says *Phæbus*, my words should alarm  
By my faith I meant not to disparage the army !  
A militia captain I honour—the nation  
Owes daily to them its whole preservation : }  
'Tis well, answers *Mars*, pursue your oration,  
*Apollo* proceeds with a look full of mirth : }  
Some 'squire whose virtues lie hid in his birth,  
Whose ancestors whilom were fam'd for their }  
worth ;

Whose happiness lies in good wine and good  
cheer, [of his beer—  
And the strength of his parts, in the strength  
Hold, hold, sir ! quoth *Bacchus*, good master  
*Apollo* !

This is such an affront I can't easily swallow ;  
If thus you go on in your scandalous strains,  
Your wit, sir ! may prove no defence to your  
brains. [the end on't,

You've broach'd a fresh cask, if you mark but  
You ruin the plaintiff to reward the defendant.  
'Tis good drink makes the men and the maid-  
ens so pliant,

To defame it's the sure way to ruin your client.  
Her business without it will go on but slowly,  
All bachelors live and die fine prole.

Besides, sir ! you rail at your only support,  
For without ale and burgundy, porter and port,  
What wags in the city ! what wits in the court !  
Unhappily you and your *Muses* can sip ye,  
The poor rotgut stream of the fam'd *Aganippe*,

And pleas'd with the draught that bewilders  
your senses,  
Despise the pure fountain that wisdom dispenses ;  
The parent of mirth, and restorer of youth,  
The foe to all care, and the friend to all truth.  
Should you couple the lass to a drunken young  
'squire,

She'll enjoy all the pleasure mankind can desire ;  
And as meat, drink and cloth are all found in  
good beer, [to fear,  
She'll have nothing to hope for, and nothing  
If you scorn my advice, and restrain her from  
nappy,

Let her have who she will, she can never be  
Alas, firs ! quoth *Cupid*, you run on in the dark,  
And ev'ry shot arrow flies wide of the mark :  
Without or with title all fops she despises,  
Of every degree, and of all sorts and sizes ;  
*Pallas* dwells in her breast, o'er her passions  
presides, [happy,  
Ence guides ;  
Every thought, word, and deed, by her influ-  
My endeavours this termagant goddess perplex-  
es,

Without her she's as weak as the rest of her  
I always, quoth *Hermes*, submit to my betters,  
But *Pallas* wou'd presently settle these matters :  
Let *Mars* then and *Phæbus* be plac'd as a barrier,  
Lest *Cupid* begin his attack while she tarry here.  
As for that, firs ! quoth *Cupid*, I only shall say,  
When she's here I am glad to be out of the way :  
We're like water and lime, or like fire and  
stubble ; [the trouble:  
So I'll leave you, and save both your godships

Only promise me first thro' the whole of this  
action,

All things shall be manag'd to my satisfaction.  
*Jove* nodded, *Love* took up his wings and away ;  
And *Minerva* appear'd to settle the fray.  
Ye gods and ye goddesses, why do you meet  
To disturb my retirement in so pleasing a seat ?  
Long, long have I sought to inhabit a mind,  
To virtue, content, and good-nature inclin'd ;  
Long hated the strife that disturbs every god,  
And resolv'd to find out a more quiet abode ;  
Discontented from men and from women I pass'd,  
Till to my dear *Cloe* I wander'd at last ;

Found both outside and in of my house, so  
dorn'd [I scord'd ;

And well-furnish'd, from that time all other  
Here at length will I rest me, said I, free  
from care :

From a temper so sweat, and a heart so faint,  
From passions so gentle, and desires so pure,  
From thoughts so unspotted, and virtue so sure,  
So pleasant a look, and so cheerful a heart,  
No power shall ever persuade me to part. [argi,  
While *Jove* bears the scepter, while I bear the  
While *Neptune* the trident, and *Juno* the breeches,  
Shall *Cloe* be happy, and happy in love,  
And *Cupid* himself shall my project approve.  
If you bind her once fast in the bondage of *Hymen*,  
That god who to women is wont sor to tie men,  
I'll answer for her, she shall never desire  
To set any more of love's votaries on fire.

Then,

There's *Strephon*, a youth whom *Apollo* well  
knows,  
He's a piece of a poet, as poetry goes:  
Yet what's strange h'as some sense and a smat-  
tring of wisdom. [for his doom :  
He'll have reason to thank all your godships  
Your statues he'll crown with pinks, roses, and  
daisies,  
And the world shall resound with poetical praises.  
Master *Cupid* shall wound me this youngster's  
gay heart, [part.  
Or, without him, herself may as well do that  
Then let me alone with miss *Cloe* to tamper,  
And in fetters of wedlock we her soon shall  
hamper.  
This matter how clever you see I contrive all,  
You'll be pleas'd, and *Love* freed from his con-  
quering rival ;  
*Venus* dancing with *Bacchus* rejoice at the  
Rummer, [drummer ;  
And *Mars* the next morning shall send his own  
*Jove*'s altar shall smoke, and due honours be paid  
To *Juno Lucina*, when call'd to her aid.  
Mean time let's send *Mercury* swift to the *Fates*,  
Bid *Clebo* and *Atropos* lengthen their dates ;  
Tell *Lachesis* spin their threads thick as a strong  
cord ; [concord !  
May they live long and happy in pleasure and  
And now by my wisdom I've settled this match,  
I return to my *Cloe* with the utmost dispatch,  
And with them shall continue, and leave such  
a crew  
Of quarrelsome, shallow-brain'd puppies-adieu.

*Said to have been written by the Rev. Mr. N—  
of Y—t—ly, on a Book, entitled, An Enquiry into the Jewish and Christian Revelation : Published by Sam. Parvish, Bookseller in Guildford.*

*St. Luke. Judas, betrayest thou the Son of Man  
with a Kiss ?  
Solomon. Excellent Speech becometh not a Fool.*

**T**HY book, O *Parvish*, is all o'er coarsly  
patch'd [cull'd,  
With borrowed scraps, from sundry authors  
That really speak variety of wretchedness.  
Thou vile apostate, what hast thou done more  
Than *Collins*, *Woolston*, *Tindal* said before ?  
Thy ill-connected stuff proclaims at once  
Thee greater blockhead, infidel and dunce.  
Thy weak solutions speak the deist plain,  
Thy *Japoneſe* a frenzy of thy brain.  
Thy medley volume barely but affords  
A barren superfluity of words.  
In thee the emblem of the mole is found,  
Who pokes and scrapes and throws the dirt a-  
round,  
But blunders on almost devoid of sight,  
And both detest, as painful, the pure light.

*To Mr. BRIDGES, Author of the Hymn to the  
SUPREME BEING.*

**W**HILE bardlings, a fantastick train,  
In many a fond and light essay,

To subjects, transient as their strain,  
Adapt the sonnet of a day ;  
You the firm tablets of each line  
From adamantine quarries frame ;  
And on the rock of strength divine,  
Erect your future house of fame.  
Nor from *Aonia*'s fount below,  
But from the same eternal spring,  
With thine *Iſaiab*'s numbers flow ;  
With thee the seraph learns to sing.  
For to thy genius mild and sage,  
His mirror the Almighty holds,  
And to inform thy sacred page,  
The poem of the world unfolds.  
Nor yet to heav'n's exterior plan,  
(Tho' fair, all wondrous fair) confin'd ;  
Beyond new op'ning scenes you scan,  
And pierce into the world of mind.  
So may thy verse, when death and fame,  
And time, and form, and matter's past,  
New mansions with its author claim,  
And equal with duration last.

*On the Fleet under Admiral HADDOCK.*

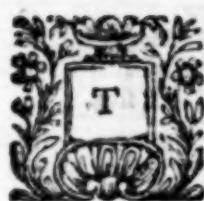
*Raro antecedentem seculum  
Deseruit pede paena cludo.* HOR.

**H**ARK ! the British lion roars,  
Haddock sounds the dread prelude ;  
Terror flies thro' distant shoars,  
Shoars in blood and guilt imbru'd.  
See ! what mangled ghosts appear,  
Of brave tars untimely slain !  
How they smile at vengeance near !  
Vengeance due to cruel Spain.  
Vain shall hostile pow'rs unite,  
Vain shall rocks and tempests stay ;  
Thorough danger, storm, and night,  
Truth and virtue win their way. SYLVIA.

*A SONG.*

**W**HAT avails the power of beauty,  
Tho' unnumb'red hearts it gain ;  
If the passions, scorning duty,  
Rise, rebel, subdue, and reign ?  
*Tbais*, tho' by slaves surrounded,  
Feels her ev'ry shaft restor'd ;  
Daily wounding, daily wounded,  
Lives tormented, while ador'd.  
How much nobler, how much wiser,  
Fair and virtuous *Lælia*'s end ;  
Heedless who for beauty prize her,  
All her cares her mind attend.  
She o'er others hearts victorious,  
Aims not there to fix her throne ;  
But, a triumph far more glorious,  
To subdue and rule her own.

*We have receiv'd the Dialogue, Verses on  
Corby, the sign'd Apollo, Female Heroism,  
Bath Waters, Health and Content, a Dream,  
a martial Ode, Fable of the Lion, &c. &c.  
But Matters of immediate Importance having  
crowded in upon us, we are oblig'd to defer them  
to our next.* THE



AT THE latter End of last Month, Mr. Keene and Mr. Cañizares, the two late British Plenipotentiaries at Madrid, arriv'd in England; and soon after Mr. Keene waited on the Lord Harrington, and the same Day was carried by the Duke of Newcastle to Kensington, and presented to his Majesty, to give his Majesty an Account of his Negotiations, &c. at the Court of Madrid. Mr. Cañizares was also presented to his Majesty the same Day.

A Proclamation was issued for the further Encouragement of Sailors to enter into his Majesty's Service; able Seamen, not under 20 Years of Age, nor upwards of 52, to have two Guineas Advance over and above all other Rewards, and six Months Pay certain; but to be severely punished if they enter into several Ships for the Sake of the said Advance-Money.

His Grace the Duke of Devonshire, Lord Lieutenant of Ireland, arriv'd in that Kingdom.

#### TUESDAY, Oct. 2.

The Lords of the Admiralty were pleas'd to give Notice to the Merchants, that they had ordered a grand Convoy, to see the Ships safe into Oporto, Lisbon, and the several Ports up the Straits; that a 20 Gun Ship should be order'd to cruise continually off Oporto Bar; and also one of 50 Guns to cruise between the said Port and Lisbon; which would, in all Probability, secure the Trade to that Kingdom.

#### WEDNESDAY, 3.

Orders were issued from the War-Office, for augmenting the Regiments in Minorca and Gibraltar from 50 to 70 private Men in each Company; and the same Augmentation in all the marching Regiments throughout Great Britain.

#### TUESDAY, 9.

Horace Walpole, Esq; his Majesty's late Ambassador to the States General, with his Lady and Family, arriv'd from Holland at his House at Whitehall.

#### FRIDAY, 12.

Several Italian and Spanish Merchants of this City waited on his Grace the Duke of Newcastle with a Petition for his Majesty, praying that his Majesty will be pleased to give Orders to the Lords of the Admiralty, that Ships may be stationed off the neutral Ports in Italy, the Navigation there being at present very hazardous, by reason of the

many Privateers which infest those Parts; and met with a kind Reception.

Letters of Marque had been already taken out of the High Court of Admiralty for 23 Ships, and the Merchants were soliciting more. Letters of Marque were also given out in our Colonies and Plantations in America. Several Spanish Ships were taken, but they took more of ours.

#### FRIDAY, 19.

At the Sessions at the Old Bailey, Thomas Hennings, a Holland's Trader, received Sentence of Death on the Act of the 9th of his present Majesty, made for preventing the hiring or retaining his Majesty's Subjects as Soldiers in foreign Service, without his Majesty's Licence. One was burnt in the Hand, 4 order'd to be whipp'd, and 28 to be transported.

The following Order was sent to the Heralds at Arms.

#### GEORGE R.

OUR Will and Pleasure is, that you attend the Proclamation of our Declaration of War against Spain that is to be made on Tuesday the 23d Instant, in the usual Places, and with the Solemnities customary on the like Occasion: And for so doing this shall be your Warrant. Given at our Court at Kensington the 19th Day of October, 1739, in the 13th Year of our Reign.

By his Majesty's Command,  
*Holles Newcastle*

To our trusty and well-beloved  
Servants, the King's Heralds  
and Pursuivants at Arms.

#### SUNDAY, 21.

Mr. John Goodwin, Master Attendant of the Dock-Yard at Deptford, by Order of the Admiralty, seiz'd upon 2 Spanish Ships in the Pool, and carried the Captains, and 16 Spanish Sailors, with the Assistance of the Deputy Marshal, to the Marshalsea Prison.

#### TUESDAY, 23.

The Officers of Arms, with the Sergeants at Arms and Trumpeters, mounted their Horses in the Stable-Yard, St. James's, and proceeding thence to the Palace Gate, Garter Principal King of Arms read his Majesty's Declaration of War, and Norroy King of Arms, proclaim'd it aloud; which being done, a Procession was made to Charing-Cross, as follows. A Party of Horse Guards or Grenadiers to clear the Way. Beadles of Westminster bareheaded, with Staves, two and ten Constables of Westminster in like Manner; High Constable of Westminster with his Staff;

Officers of the High Bailiff of *Westminster* on Horseback, with white Wands. Clerk of the High Bailiff of *Westminster*. High Bailiff of *Westminster*, and on his Right Hand the Deputy Steward. Knight Marshal's Men. Knight Marshal. Drums. Drum-major. Trumpets. Serjeant Trumpeter in his Collar, bearing his Mace. Pursuivants, Blue-mantle, Rougedragon, Portcullis. Richmond Herald. Windsor Herald. York Herald, between two Serjeants at Arms. Somerset Herald, between two Serjeants at Arms. Norroy King of Arms, between two Serjeants at Arms. Garter King of Arms, between two Serjeants at Arms. A Party or Troop of Horse Guards commanded by Colonel Burton. At *Charing-Cross* Norroy King of Arms read the Declaration, and Somerset Herald proclaimed it aloud. In this Method the Procession was made to *Temple-Bar*, where the Officers of the City of *Westminster* retired, and within the Gate the Lord Mayor, Aldermen, Deputy-Recorder, and Sheriffs in Scarlet attended; and Bluemantle Pursuivant having presented to his Lordship the Earl Marshal's Warrant, the City Procession followed the Troops commanded by Colonel Burton. At the End of *Chancery-Lane* Somerset Herald read the Declaration, and York Herald proclaimed it aloud. At the End of *Wood-street*, where the Cross formerly stood, York Herald read the Declaration, and Windsor Herald proclaimed it aloud. And lastly, at the *Royal Exchange* Windsor Herald read the Declaration, and Richmond Herald proclaimed it aloud. The Spectators, almost innumerable, expressed their great Satisfaction by loud Acclamations of Joy at each Place. (See the Form of the Declaration, p. 511.)

THURSDAY, 25.

The Chief Corner-Stone of the Mansion-House for the Lord Mayors of this City, was laid by the Right Hon. the Lord Mayor. The Inscription shall be in our next.

MONDAY, 29.

The Right Hon. Sir John Salter, Knt. the new Lord Mayor of London, was with the usual Solemnity sworn into that honourable Office at *Westminster*, for the Year ensuing. (See the Account of his Election, p. 499, &c.)

#### MARRIAGES and BIRTHS.

**L**EWIS Augustus Blondeau, Esq; to Mrs. Crowle.—Sir John Freke, Bart. in Ireland, to Miss Broderick.—Mr. Tho. le Blanc, an eminent Italian Merchant, to Miss Tully, of *Charterhouse-Square*.—John Liddiard, Esq; to Mrs. Sarah Serjeant.—Mr. William Sumner, jun. to Miss Elizabeth Tanner of Hackney.—Mr. Eldin Howard, an eminent Apothecary in the Strand, to Miss Temple.—Mr. Rose, of *Barnaby street*, Southwark, to Miss Baker.—Wm. Whitaker, Esq; a Virginia Merchant, to Miss Lee of Greenwich.—Mr. John Burridge, to Miss Philips.—Mr. Channing of

*Cheapside*, to Miss Cock of Cambridge.—William Bury, Esq; to Miss Crawford.—Her Grace the Duchess of Bedford brought to Bed of a Son and Heir, styled Marquis of *Tavistock*.—The Lady of the Earl of *Ancram*, eldest Son to the Marquis of *Lobian*, deliver'd of a Daughter.—Lady Percival, of a Son.—Countess of *Dysart*, also of a Son.

#### DEATHS.

**M**r. John Lister, Brother of *Thomas Lister*, Esq; Memb. for *Clitheroe*.—John Hanbury, Esq; Brother to *Charles Hanbury Williams*, Esq; Knight of the Shire for the County of *Monmouth*.—Capt. Wm. Hutchinson, an *East India* Captain.—George Hotbam, Esq; Major of a Reg. of Foot, commanded by Lieut. Gen. Kirk.—Mr. Mackee, a famous Mathematician, Surveyor of *Chelsea Water-Works*, and Projector of the same.—Francis Fowler, Esq; formerly High Sheriff of *Suffolk*.—Mr. Edward Umfreville, one of the Clerks in the Exchequer.—Sir Philip Sydenham, of *Brimpton* in *Somersetshire*, Bart.—Rev. Dr. Archer, Archdeacon of *Wells*, and Canon-Residentiary of that Church.—Rev. Mr. Edborough, Vicar of *Waldershare* in the Diocese of *Canterbury*.—At *Torop* near *Kettering* in *Northamptonshire*, the Lady Humble, Mother to Sir William Humble, Bart.—Thomas Coffer, Esq; Member of Parliament for *Bristol*.—Hon. Col. Lumley, Brother to the Right Hon. the Earl of *Scarborough*.—Mrs. Prudentia Trevor, Daughter of the late Sir John Trevor, Knt. Master of the Rolls.—Sir John Astor, of *Lyddiard Millicent*, *Wilts*, Knt.—At *Edinburgh*, Col. Charles Kennedy, eldest Son of the Earl of *Castles*.—Mr. Moses Mendes de Costa, reputed one of the richest Jew Merchants in this Kingdom.—Rev. Mr. Inglis, Rector of *Lewisibam*, *Kent*.—William Gore, Esq; Memb. of Parl. for *Cricklade*, *Wilts*.—His Grace the Duke of *Manchester*, Knight of the Bath, Capt. of the Yeomen of his Majesty's Guards, &c. He is succeeded in Dignity and Estate by his Brother, the Lord Robert Montague, Memb. of Parl. for *Huntingdonshire*, now Duke of *Manchester*.—Rev. Dr. Thomas, Rector of *Grimby* and *Hallow*, *Worcestershire*.—Sir Richard Musgrave, of *Kayton-Castle*, *Cumberland*, Bart.—in the *Isle of Man*, Sir John Erskine, of *Alva*, Bart.—Francis Sibbald, Esq; Brother to *Samuel Sibbald*, Esq; Memb. of Parl. for *Cambridgeshire*.—Rev. Mr. Green, Rector of *Cliff* near *Gravesend*, which Living he had enjoy'd ever since the Revolution.—At *Oxford*, Francis Heywood, Esq; in the Commission of the Peace for that County.—Sir John Lawson, of *Brough* in *Yorkshire*, Bart.

#### Ecclesiastical PREFERMENTS.

**M**r. Bute, to the Rector of *Chillingford* in *Essex*.—Mr. Kenrick, to the Vicarage

rage of *Gulvale* in *Cornwall*.—Dr. Christopher *Lloyd*, made Dean of *Elphin* in *Ireland*.—Mr. *Pawlett St. John*, Fellow of St. John's College, *Cambridge*, presented to the Living of St. Sepulchre's in that Town.—Mr. *Cornwallis*, to the Rectory of *Chelmondeston* in *Suffolk*.

mand of a Troop in the Royal Reg. of Dragoons.

Persons declar'd BANKRUPTS.

**J**OHN *Boulby*, of St. Paul Covent-Garden, China-Man.—*Ambrose Wafforne*, of Thorp Lubenham, in *Northamptonsh*. Dealer.—*The Coton*, late of St. Giles in the Fields, Innholder and Dealer in Horses.—*Joseph Alridge*, of Great Chelsea, Brewer.—*Lazarus Brandt*, of Petticoat-Lane, Chapman.—*George Rider*, of Newbiggin, *Yorkshire*, Chapman.—*Joseph Stone*, of Worcester, Ginger-bread-maker and Confectioner.—*William Batcheler*, of Old Artillery-Lane, Weaver.—*Roger Watts*, of Bristol, Joiner and Cabinet-Maker.—*Thomas Crompton*, of Bridgnorth, Grocer and Chandler.—*George Barnard*, of Newbury, Drugget-maker.—*The Maling*, late of Colchester, Mercer.—*Will. Hunt*, of Twickenham, Tanner.—*Will. Watt*, of Southwark, Corn Lighterman.—*Will. Inn*, of St. Dunstan's Hill, Grocer.—*St. Jackie* of the Strand, Vintner.—*Geo. Clay*, of King's Lynn, Merchant.—*Will. Caudell* the Younger, of Norwich, Wool-Comber.—*Daniel Stiles*, of St. Botolph, Aldgate, Linen-Drapier.—*The Cartwright*, of East-Greenwich, Kent, Brewer.—*David Salomon*, of Houndsditch, Merchant.—*John Priestnall*, late of Manchester, Linen-Drapier.—*Joseph Wicksteed*, of Little Moorfields, Brewer.

Promotions CIVIL and MILITARY.

**S**T. GEORGE Caulfield, Esq; made Sollicitor General in *Ireland*, in the Room of *John Bowes*, Esq; made Attorney General.—Lord Duncannon, of the Kingdom of *Ireland*, created Earl of *Bessborough*.—Lewis Augustus Blan-deau, Esq; made one of the Gentlemen Ushers to his Majesty.—William Wrightson, Esq; made First Secondary in the Pipe-Office, a Place of 800*l.* per Annum.—The Worshipful *John Audley*, Esq; Doctor of the Civil Law, appointed by the Duke of *Norfolk*, Hereditary Earl Marshal of *England*, to be Advocate General of the Court of Chivalry, in the Room of the late Dr. *Henckman*.—Dr. *Leigh*, Master of *Baliol College*, *Oxford*, sworn in Vice-Chancellor for the Year ensuing.—Earl of *Pomfret* made Governor of *Guernsey*.—Hon. — Stanhope, Esq; Son to Lord Harrington, made Aid-de-Camp to General *Wade*.—Capt. *John Mandeville*, promoted to the Com-

Prices of Stocks, &c. towards the End of the Month.

S T O C K S.

<i>S. Sea</i>	92 2 92 1/2	<i>Afric.</i>	13 1/2
—Bonds	15 <i>s.</i>	<i>Royal Ass.</i>	88 1/4
—Annu.	106 1/3 2 1/2	<i>Lon.</i> ditto	11 1/4
<i>Bank</i>	134 1/4 2 5 1/4 2 5	3 per C. An.	97
—Circ. 1 <i>l.</i> 5 <i>s.</i>		<i>Salt Tallies</i>	1/2 2 1/2
<i>Mil. Bank</i>	112	<i>Emp. Lon</i>	108
<i>India</i> nothing done		<i>Equiv.</i>	112 1/2
—Bonds 2 <i>l.</i> 8 <i>s.</i> 29 <i>s.</i>		<i>Lot. Tick.</i>	5 5 6 2 6 <i>s.</i>

The Course of EXCHANGE.

<i>Amft.</i>	35 8	<i>Bilboa</i>	39 1/8 2 1/4
<i>D. Sight</i>	35 5 1/2 2 6	<i>Legborn</i>	49 1/4
<i>Rotter.</i>	35 9 2 2 10 2 1/2	<i>Genoa</i>	52 2 1/8
<i>Hamb.</i>	34 5 2 1/2 2 2	<i>Venice</i>	50
<i>P. Sight</i>	31 1/6	<i>Lisb.</i>	55 4d 1/2 2 1/2
<i>Bourdx.</i>	31 1/8	<i>Oport.</i>	55 4d 1/8
<i>Cadiz</i>	39 1/2 2 1/3	<i>Antra.</i>	36 6
<i>Madrid</i>	39 5 2 1/4	<i>Dublin</i>	8 5 2 1/4

Prices of Goods at Bear-Key.

<i>Wheat</i>	28 35	<i>Oats</i>	10 14
<i>Rye</i>	12 19	<i>Tares</i>	20 23
<i>Barley</i>	13 18	<i>Pease</i>	28 32
<i>H. Beans</i>	19 22	<i>H. Pease</i>	16 18
<i>P. Malt</i>	19 22	<i>B. Malt</i>	16 18

Abstract of the London WEEKLY BILL, from Sept. 25. to Oct. 23.

<i>Christned</i>	{ Males	655	1308
	{ Females	653	
<i>Buried</i>	{ Males	935	1957
	{ Females	1022	
<i>Died under 2 Years old</i>		780	
<i>Between 2 and 5</i>		177	
5		64	
10		64	
20		150	
30		166	
40		187	
50		122	
60		104	
70		105	
80		57	
90 and upwards		1	

Hay 38 to 44*s.* a Load.

Pr

Preliminary Articles of Peace concluded in the Ottoman Camp, Aug. 21, O. S. between the Emperor and the Grand Signior.

**T**H E Fortress of Belgrade, which the Imperial Arms took in 1717, shall be restored to the Ottoman Empire with its ancient Inclosure, the Reparations made thereto, and the Works inseparably attached to it : The Powder Magazines, arsenals, Caserns, and all the publick and private Edifices extant in the City, shall be left to the Ottoman Empire. The rest of the new Fortifications, Walls, little Forts, as well of the Castle as the Town, as far as the *Covert-way* and *Glacis*, both inclusive, as likewise the opposite to them on the other Side of the *Danube* and the *Saave*, shall be demolish'd, upon Condition that no Damage be done to what is ceded.

II. The Fortress of Sabacz shall likewise be restor'd to the Ottoman Empire in its former State, and upon the Conditions stipulated in Regard to Belgrade. All the Artillery actually in Belgrade and Sabacz, together with the warlike Stores, Provisions, and such like Things that may be removed, including the Men of War and other Vessels in the two Rivers belonging to his Imperial Majesty, shall remain in his Possession ; and, in Exchange, all that is stipulated above concerning the said Places of Belgrade and Sabacz, shall be left to the Port.

III. His Imperial Majesty cedes the Province of Servia, wherein Belgrade lies : The *Danube* and the *Saave* shall be the Bounds of the Provinces belonging to the two Empires ; and as to the Limits of *Bosnia*, they shall be the same as were settled by the Treaty of Carlowitz.

IV. His Imperial Majesty cedes to the Port all the *Austrian Walachia*, including the mountainous Part : He likewise gives up the Fort *Perischan* which he built there ; but the Port shall demolish it and never fortify it again.

V. The Island and Fortress of *Orsova*, with Fort St. Elizabeth, shall remain in the Hands of the Grand Signior in their present Condition. The *Bannat* of Temefwar shall likewise remain entire in his Imperial Majesty's Possession, as far as the Confines of the *Austrian Walachia*, except the little Plain over against the Island of *Orsova*, which is shut in by the Rivulet of *Zerna*, which runs from *Meadia*, by the *Danube*, by another Rivulet which serves as a Limit to the *Austrian Walachia*, and lastly, by the first Hills of the said *Bannat*, &c. which said Plain is to remain to the Port ; nevertheless it is agreed, that if the *Turks* can turn aside the Course of the whole River of *Zerna*, so that it may run upon the Back of Old *Orsova*, in this Case, the Town of Old *Orsova*, not including its Territory, becoming contiguous to the said little Plain, shall belong to the Port,

but she shall never fortify that Place ; and for the Purpose aforesaid, the Port shall have a Year granted to her for turning aside the Channel of the said River of *Zerna*, which, if not perform'd within the said Term, she loses her Right to the said Town of Old *Orsova*, which shall then remain in the Emperor's Hands. The Fortifications of *Meadia*, which his Imperial Majesty is to keep, shall forthwith be destroy'd by the Port, and never be restor'd by his Imperial Majesty, who also engages not to re-establish those that are to be demolish'd on the *Saave* and the *Danube*.

As the Emperor seems greatly displeased with this Peace, he dispatched Orders on the 13th and 15th of last Month to Veldt Marshal Count *Wallis* and to Count *Neuperg*, by which, the first was charged forthwith to give up the Command of the Army to Veldt Marshal General *Seber*, and to repair to *Ziget*, there to remain under Arrest till his Imperial Majesty's further Pleasure should be known : And the other was ordered to repair immediately to *Orsch* near *Raab*, there to be confined till further Orders.

We hear from *Lisbon*, that the Lord *Tyrwhit*, Envoy Extraordinary from this Court to his *Portuguese* Majesty, having made Instances that his Majesty would permit the *British* Squadron commanded by Admiral *Haddock*, to winter in that Port, his Majesty has excused himself, under Pretence of being resolved to observe an exact Neutrality, with regard to the War between *Great Britain* and *Spain* ; and that, as a farther Mark of his Resolution in this Respect, he had forbidden all his Subjects from buying any of the Prizes the *English* might take from the *Spaniards* ; which Restraint he had ordered to be communicated to the *English* in that Port. One might have expected, that for Decency's Sake, as well as out of Gratitude to this Court, his Majesty would, at the same Time, have forbidden his Subjects from buying any of the Prizes the *Spaniards* might take from the *English*.

The Populace of *Vienna* being as much displeased as the Emperor with the late Peace, there has been great Mobbing there on that Account ; when they very much insulted the *French* Minister, and the Houses of some of the Generals of the Army, particularly General *Schmettau*, whose House they insulted to such a Degree, that his Lady, who was then lying in, died of the Fright. In short, a general Insurrection would probably have ensued, if the Court had not been so prudent as to give Orders to all Tradesmen to keep their Workmen at home, to forbid all publick Houses to retail any strong Liquors after Ten at Night, to double the City Guards, to increase the Patrol, and to take other necessary Precautions for preserving the publick Tranquillity.

## MISCELLANEOUS.

\* 1. THE Works of Mr. John Locke. In 3 Vols. Folio. A new Edition. Printed for E. Parker, E. Symon, C. Hitch, and J. Pemberton, price 3*l.* 3*s.*

2. A Collection of Pieces of Mr. John Locke, now first printed in Folio. Sold by T. Osborne, price 6*s.* in Sheets.

3. An Examination of a Book distributed by the Quakers in relation to their Prosecutions. Printed for J. Roberts, price 3*d.*

4. Miscellaneous Works of the late Mat. Prior, Esq; In 2 Vols. 8vo. Sold by C. Corbet, price 1*l.* 2*s.*

5. An Essay on the Usefulness of Oriental Learning. Printed for C. Rivington, price 1*s.*

6. A Reply to Mr. Robins's Remarks on the Essay upon distinct Vision. By J. Jurin, M. D. Printed for Mess. Innys and Manby, price 1*s.* 6*d.*

7. One Physician is even as good as the other. Printed for J. Cooper, price 6*d.*

8. The Life of J. Fisher, Bp. of Rochester. By T. Bailey, D. D. Printed for P. Meighan, 12mo, price 3*s.*

9. The Remembrancer; being an historical Register. The 2d Edit. continued to the present Time. Printed for T. Astley, price 6*d.*

10. A Treatise of ancient Painting. By G. Turnbull, L. L. D. Sold by A. Millar, Folio.

11. An Essay on Regimen, with five Discourses. By G. Cheyne, M. D. Printed for C. Rivington, 8vo, price 5*s.* 6*d.*

12. An Account of the Expedition of the British Fleet in 1718, 1719, and 1720, under Sir G. Byng, Bart. Printed for Mess. Tonson, price 1*s.*

13. Memorials and Characters of eminent and worthy Persons. Numb. XII. Printed for J. Wilford, price 1*s.*

## POETICAL.

14. Poems on various Occasions. By Mr. Browne. Printed for E. Cave, price 6*s.*

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